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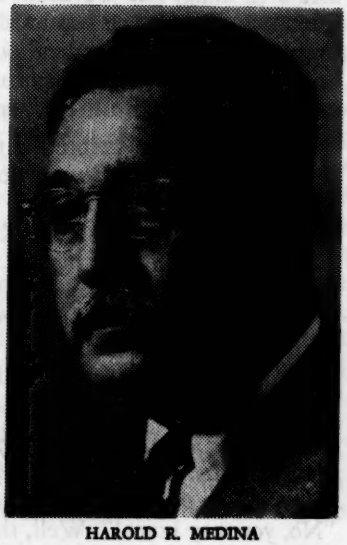
JUDGE MEDINA'S SPEECH*

Mr. President, members of the judiciary, especially my colleagues on the Federal judiciary whom I view with special affection, members of the Kansas State Bar and your ladies, and friends: This is a proud moment for me. Mrs. Medina and I have never been to Kansas before. We had always thought that you were friendly people. We've only been here a short time—got here last night, but I think those of you who have seen me and seen her today will appreciate the sincerity with which I speak when I say, we really enjoyed ourselves here. We feel that we're one of you. We feel so much at home and so comfortable in your midst, it seems as though we've been here always. I don't know just what there is about this part of the country, to make strangers—really that's what we are in a way—feel so much at home so quickly is something that is given to very few communities to be able to do.



HAROLD R. MEDINA

Now what I'm going to do tonight is to tell you something about the communist trial and then make a few reflections on this great country of ours based upon some of my experiences. And I am going to do that by way of contrast, because I don't suppose any amount of argument

*Copies of Judge Medina's speech and a review of his recent book (page 1-16 hereof) are being distributed by the Public Relations Committee of Bar Association of Kansas in response to various requests; the speech was delivered at the 73rd Annual Banquet of the Bar Association of the State of Kansas, Hutchinson, May 20, 1955.

EDITOR'S NOTE: The following are excerpts from introductory remarks of Claude I. Depew, President of the Bar Association of the State of Kansas:

"One of the privileges, and sometimes attached of the president of the Bar Association of the State of Kansas, is to select a speaker for the Annual Banquet....That was not much of a task, but realy was a pleasure to me the way my burden turned out. I have heard the man who will speak this evening, and I have admired him for a long

or talking could ever have convinced me of the ill will, and the venom and the injustice, that those communists make it their business to spread as a business proposition.

Now how I got the case, I really will never know. One day Judge Knox called me into his chambers. I was just a young inexperienced judge—young in service on the Federal Bench. I had hardly been there a year when he called me in and said he was going to assign that case to me, and I just said, "Yes," and walked out. I hadn't been in the habit of having things assigned to me and arguing with my superiors about it. I just said, "Yes," as I said, and walked out.

Well, I didn't have any idea what the thing was going to be. I thought of communists as a sort of roughnecks—fellows that wanted to divide up other people's properties and raise the dickens and all that—but I was very skeptical about this tie-up with Russia. I didn't believe everything I read in the papers; and the only thing I did by way of preparation was that I had heard about that sedition trial in Washington where Judge Eicher, after about 7 months, had gone into his chambers one afternoon and laid himself down and died! And, I had an idea that maybe it would be just as well if I could avoid that; so I read everything that I could lay my hands on about that sedition trial. And, you'd be surprised how much there is available on that. It was a most extraordinary sort of a thing, but you could readily see that the judge had gradually worn himself down. He was continually shouting and banging his gavel, and punishing people for contempt; and one thing led to another, and the first thing you know after about 7 months of utter turmoil, the poor old judge went out and had this heart attack and died, and that was the end of that!

A couple of days before the trial, I got a little clipping from Ray Moley. I don't know whether you remember him; he was one of the brain trusters that Roosevelt had in Washington. He was an old friend of mine—we'd been on the faculty together up at the Columbia Law School—and he sent me a little clipping. And the clipping read something like this: "Judge Medina was going to try the Communist Case, and he was a pretty good lawyer, and colorful figure of the New York Bar, but pretty soon he was going to wish he had never been born"! Well, if somebody else had sent that to me, I probably wouldn't have paid much attention; but when I got that from Ray Moley, I knew that was the tip-off to me that there was more going on here than I realized.

So we get down there and the trial started. The first few days was kind of fun—the first day especially—because Mrs. Medina said she wanted to come down and be there the first day and everybody was going to be there, and I said, "No, you stay home!" Well, she said, "No, I think I'll be there." And I said, "No, you stay home," and finally she said, "Well, I'll dress like a commie, and you'll never be able to see me there." So, we get down there the first day of the

time; and I thought that there was nothing that I could do for the Bar Association of the State of Kansas that would be of more benefit and more enjoyment to the people who attended this convention and this dinner than to obtain his services and his consent to come here and speak...and I didn't particularly want him to be given the burden of preparing a new speech. I wanted him to deliver one something like I had heard him make before, because it thrilled me and the people who heard him; and I invited him to come here...He has accepted because I am sure he wanted to be here, and he can't accept all the invitations that he gets, I know. He has been a devotee of the law all of his adult life. He has been a practitioner of the law. He has been a teacher of the law. He has been a student of the law. He has been a Federal district judge, and he is now a judge of the Circuit Court of Appeals of the Second Circuit; and nothing could give me more pleasure than to introduce to you at this time The Honorable Harold R. Medina."

trial, and the place was jammed. My goodness, I don't know how they ever got that many people in there—seats right up to the clerk's desk, in front of the bench, the juror's box filled, every place filled with people, policemen all around the place, marshals here and there, half the courtroom devoted to the representatives of the press from all over the world. And I looked all around to see my Eth, and I couldn't find her. And I said, "Well by golly, maybe she stayed home after all." And it wasn't like her, it wasn't like her! Anyway, they got started with these fireworks, and they moved to have the case put over to Madison Square Garden where all the workers could get in, and all the people could hear as was their right under the Constitution, and I denied that motion and several others; and all of a sudden one of these little lawyers for the commies jumped up. He says, "There is a stool pidgeon!" and I looked over, and there she was. Well, I tell you there was a great to-do. She was sitting there with an old felt hat on, she had torn the fancy buttons off her coat, she started going down in her seat, until finally all I could see was the top of a hat—and it turned out the fellow sitting in front of her was the stool pidgeon. Well, everything was all right. That sort of cooled her off for a couple of weeks.

But, we got going there, as I said, kind of fun at first, and the first thing that happened, one of the deputy police commissioners came and said "Now, Judge, we're going to give you a little protection." "Well," I said "frankly, I don't want any protection, you just dramatize this thing and make it look as though there is a lot of danger in all this and that; and I wish you'd just take that away and go somewhere else with it." Well the next day he came back, and he said, "Now, Judge, you know your business, don't you?" "Well," I said, "I know a little about it." "Well," he said, "we know our business, and you're going to get this protection and that's all there is to it." So I said, "Yes." Well, I don't know whether you people realize what it is to have detectives, F.B.I. men and state troopers and all that sort of law enforcement officers with you all the time—in your home, going everywhere in the car, and it's kind of exciting at first. For instance, when we went down to our summer place at West Hampton, and we drove down with the state trooper in front of us and an F.B.I. car behind us, and blowing a siren and getting the people off the road; but of course these people getting off the road, they didn't know there was anybody right behind the state troopers, and they'd cut right back. I almost got picked off the first day two of three times. So I had to be up behind this fellow—about 10 or 15 feet away—and every old nail, and pebble, and old shoe, and everything else that was in the highway banged up on my windshield. And when we got through with that trial, we had to buy a new windshield! You couldn't see through the thing!

But, as far as fear was concerned, I don't think that part of it ever bothered me at all. We got all these letters saying I'd be shot the next day, one person who supposedly was somewhere in a bar and grill and heard some ugly looking characters in the next booth saying, "Joe, have you got your revolver filled with good bullets, because we gotta get the judge tomorrow" and he would say, "What judge?" "Why Judge Medina, of course," and then I was supposed to be scared to death. Well those things didn't bother me at all, because I figured if

you're going to shoot somebody, you wouldn't write him a letter and tell him all about it. And I don't think Mrs. Medina was bothered by that, but I think the daughters-in-law were troubled over the children getting kidnapped. They were little kids then, that's almost six years now, and I noticed when all these photographers and reporters came around, the kids would disappear. Well I didn't like that. I didn't like the idea that when somebody is coming to see Grampy you better go to your room and stay there. They never told me they said that, I'm not sure that they did, but I think so. And I didn't want to have those little kids grow up to be afraid. Let me tell you, ladies and gentlemen, if I had to go through life being afraid, I'd rather be dead. Yes, I would. You once let fear get into your soul, and then you can't stand up and do your duty. You can't do the things that you are here in life to do . . . and it's just no good, it's just no good.

Well, anyway, I don't want to drag this along, and there's so *much* of it to talk about and I am going to go over two or three of the ways in which these fellows tried to break up the trial. Now mind you, it wasn't like any sort of criminal trial you ever heard of. It wasn't as though these people were trying to be acquitted, but they were doing just two things all the time, spreading communist propaganda from morning till night and trying to break up that trial. And the first evidence I had of that, the first time I really caught on what they were doing, was when these delegations began coming around. Even if I arrived at the courthouse at half-past eight or quarter-past eight, these delegations were waiting to see me. And then there would be another delegation, and another delegation, delegations of workers from Ohio, from Maine, from Mississippi, from California, from the Dakotas, from Kansas, from all over the place! Delegations of housewives! Delegations of veterans! Delegations of Purple Hearted veterans! But mostly delegations of workers from all kinds of industries and they got after me, and the first one that came along, I said, "Well now, these fellows have no business to do this and I'll explain it to them!" And I got them in, and I said, "Well, what do you fellows want?" "Well, this is a political case, and we want you to throw it out!" I said, "Now look here! You're Americans just the same as I am! You've got no business coming around telling a judge what to do. What would you think if some politician or some rich man came in and told me what do with a case? You wouldn't like that would you?" Well, that didn't make any difference and bla bla bla, every one of them putting in his two cents worth, and I finally said, "Now you fellows get out of here," and then there was another one, and another one, and another one. Well, that went on for two or three days. I don't know why I was foolish enough to see any of them, but put yourself in my position. I was out there rooting for America! I didn't like the idea of Americans doing that sort of thing! And these people looked all right, they didn't look like what you thought commies would look like. They looked like ordinary Americans, just like all of us do. But anyway, after two or three days, I began to feel real tired. I went without my lunch a couple of days seeing these delegations and all this time down in court all day with the trial; and I finally said, "Well, Harold, you've just been a fool to do this," and so I said no more delegations. And do you

know, it's just as though you turned off a faucet. From the moment I announced that I would see no more delegations, they stopped! Not one single delegation turned up from that minute! And then I realized that the blue chips were down, that the stakes were much higher than I had thought, that if we had an organization sufficiently powerful to bring those folks from every part—every corner—of this great country of ours to wear a judge down, saying the same thing wherever they came from, the line was the same, the persistency was the same, the efforts to wear me down bit by bit by that sort of talk were identical; and so, as I said, I began to realize that the struggle was between this organization and, really, our administration of justice. Was it going to be possible by our traditional methods, by trying the case the way we Americans are accustomed to try it, with the same guard for the benefit of the defendants of their Constitutional rights? Was it going to be possible to mete out justice to Communists, or were they going to break up our system so that you just couldn't do it? That's when I started that little regime of mine, did everything the same time every day, so careful about my meals, taking my nap after lunch. That's the way you women bring up the babies. And if you men or you women get in some crisis in your life where you're tired and worn, let me advise you—go on a schedule—the time element is the important one . . . the same time every day . . . to go to bed at the same time, to eat your breakfast at the same time, eat your lunch at the same time, if you're going to take your nap do it at an identical hour every day; and the conservation of energy—physical energy and intellectual energy—is beyond belief.

Well, we got along, and of course you know all about the things they were doing in the court room there and calling me all kinds of names all the time; and they had a different line about every month or six weeks. And all this time getting all this mail cussing me out, and that mail came to maybe 200 to 250 items a day. I read every bit of that. Maybe I shouldn't have done it, but I did. I wanted to know what was going on, and I turned every bit of that over to the F.B.I. You multiply 250 items per day by 9 solid months, and you get an awful lot of pieces of mail, ladies and gentlemen. And there were names on there, and there were post marks on there, and there was handwriting on there, and there were all kinds of details; and that mass of evidence that was turned over during that long trial, I think, has played a good part, and don't ever underestimate the F.B.I. Those are the fellows whose duty it is to go out and catch the commies and the other law breakers . . . not miscellaneous self-appointed prosecutors that crop up all over the place just muddying the waters and bedeviling the situation. This is the law enforcement project! And those F.B.I. boys are the ones who know their business.

The second of these lines was one that you would never believe a fellow would be bothered by. They were all the time calling me "The Great Discriminator." This right in open court! These lawyers and the defendants jumping up—some of them were defending themselves as their own lawyers—and I was the great champion discriminator of all time. I hated the Negroes, I hated the Jews, I hated everybody, and well I got kind of tired listening to that in the court room, but I let it roll off. Then they began doing the same thing outside.

They got up some little printed sheets about that high and that wide with a picture of me on there looking like some kind of a monster and then in there all this stuff about my being a discriminator and how I hated the Negroes, hated the Jews, and hated the workers, and the poor people, and how I loved to grind them down. And they'd take those sheets and put them in people's pockets in the subway, shove them under the doors of the apartment houses in the poorer sections of the city, put them in dilapidated automobiles that were parked in various places over the city; and of course the result was they began coming back to me by the dozens. These were perfectly honest poor people, Negroes, Jews, and people who thought of discrimination all the time, writing to me and saying, "Judge, you look like such a nice man, but why do you hate the Negroes so?" "Why do you hate the Jews?" "Why do you do things to bedevil the Jews and the Negroes and the people of other races and colors? Why do you hate them so?" Well, let me just give you a little notion here, if you're an honest person, you often wonder about yourself. You take us judges when we're deciding cases, we don't always think we're right. A lot of the times we wonder, we try to do the best we can. And the ingenuity of these fellows to keep at that, and at that, and at that, until sometimes I said to myself, I said, "Harold, your whole background is one that you do not hate anybody else. You're a man of good will, you love other people! What difference does it make because of their color or their race." But I wonder, can it be that maybe you're fooling yourself. Maybe, deep down underneath, it's an act you're putting on. Maybe you do have something against these people. See the fiendishness of it? You do that to some people who really are not honest, who have no integrity, it falls right off their back. They don't pay any attention. But a person who wants to be honest with himself as with everybody else, it's that looking for a little hole in the armor somewhere that you make the man doubt himself. The idea is to attack his integrity and his sincerity and break him bit by bit.

Well, that went on for a month or so, and we came to what was one of the great efforts to break up that trial. Every day when the doors opened in the court room, there was a big line of people that had been there since about 8:00 in the morning. They were all communits sympathizers; and as we opened the doors of the court room, these fellows all ran in, so that you might have two or three ordinary people sitting in there who were friends of the judges, but most of the spectators there all the time were these communist sympathizers. And one day one of the defendants was on the stand, and the United States attorney asked him a question on a cross examination, and the lawyer objected to it, and the witness said he refused to answer on the grounds that it would tend to incriminate him. Well, I said, "Now you know you didn't need to take the stand here in your own defense, and when you did that and you testified on direct examination, you waived the right to refuse to answer questions that were relevant to those same subjects." "But," I said, "I want to be careful about this, I'll think it overnight." And I said, "You've got your lawyer here, now you talk to your lawyer about this, because I think you're going to have to answer that question."

Well the next day I went back, and I remember that day so well; it was the

3rd of June, a Friday, 1949; and when I got on the bench that morning, I could feel that there was something in the air. I don't know how it is with you, but when I feel the hair on the back of my neck going up a little bit, I know there's something around somewhere; just like a dog, when there's a snake around somewhere and you see the hairs in his back go up. Well I felt there was something going on all right, and the witness went back on the stand and instead of pressing that question that had been up the day before, the United States attorney withdrew that, and then he put another question to him that was even clearer than the first one. So the lawyer objected. I overruled the objection, the witness said he refused to answer, and I said, "Now you've got no right to refuse to answer that question, I direct you to answer." He said, "I refuse." And then I said, "I sentence you to thirty days in prison for contempt of court unless you sooner purge yourself by answering the question." Well, ladies and gentlemen, you just couldn't believe what happened there that day. That whole court room rose as one man shouting, and yelling, and cursing, and such a hullabaloo that went on is simply beyond belief. And I sat there quietly, I didn't raise my voice above the way I am speaking now, and I said, "Isn't this Mr. Hall?" and I said, "Mr. Reporter, get down Mr. Hall just said so and so, and so and so," and I said, "Mr. Hall, I remand you for the balance of the trial." Then I said, "Isn't this Mr. Winston?" Mind you, all this shouting and yelling going on all this time, the marshals running in from other parts of the courthouse; and I got down on the record what Mr. Winston said, and I remanded him for the balance of the trial, and pretty soon, I had about five of them on their way off to jail.

You know, if you men who are judges here can picture that situation, I wasn't equal to that business all by myself, I don't make any pretense that I was. I'm not a naturally calm, quiet and deliberate sort of a person; but I tell you, I did a lot of praying during this trial, and I don't make any bones about it. And I had somebody helping me that day, all right. I didn't get the slightest bit excited. I didn't raise my voice. I never used my gavel during the whole trial! And finally, after I remanded five of these fellows, it began to get kind of quiet. Then with Dennis, they were all still standing up, and there was Mr. Dennis; and he started to give me a terrible tirade. Well I said, "Mr. Dennis, don't you remember, I treat you as one of the lawyers! Remember, you're defending yourself. You're your own lawyer here!" and I said, "No matter what you say, no matter what you call me, I'm not going to put you in jail with your friends today, I'm going to treat you as one of the lawyers. There'll be a day of reckoning, perhaps, but I think, Mr. Dennis, you look kind of silly." And he did look kind of silly. And he didn't know what to do, he hemmed and hawed around, and I said, "Now I think it's better for everybody to sit down and go on with the trial." Well he didn't think so, but in a moment or two he did sit down, mind you they paid no attention to me, but he said sit down, and they all went down just like so many of these German storm troopers. And so that crisis was over.

But the following Monday we were back again, and the morning session went very nicely, remember all I had said was, "I remand you for the balance

of the trial." I didn't say for what; and Monday morning without my knowing anything about it, they got out Writs of Habeas Corpus to test the validity of my imprisonment of each of these men; and when I got back from lunch, there was this bunch of lawyers in the little room back of the court room. They had something very important to communicate to me. Well I said, "What is it?" "Well," they said, "we argued before Judge Leibell this morning the Writs of Habeas Corpus, with reference to these men that you tyranically and unjustly imprisoned the other day, and he's got some questions for you to answer." I said, "What are they?" "Well, we've got them here in this envelope." "Well," I said, "let's see what they are." They said, "Oh no! Judge Leibell has directed that you take those on the bench and open them and answer them in open court." Well you can imagine what I thought of Judge Leibell at that particular time. Of course, it was the only thing for him to do. They had been accusing me of connivance with the Attorney General and connivance with the United States attorney and connivance with the other judges over the jury system, and calling me every kind of a crook from morning till night there. Judge Leibell had sense enough to do this in a way so that nobody could claim there was any collusion between the judges or anything else. But at the moment, *at the moment,* the *isolation,* ladies and gentlemen! I was alone. I was right there with everybody looking at me, alone, with all those other federal judges right in the building from whom normally you could have gotten help and assistance and talked things over with, and here was one of those queer situations where you just couldn't do it. You just couldn't do it, if you were going to do the job right. And so I put on my robe, and I took the envelope, went up on the bench there. I wasn't going to show the white feather to those fellows! I could have opened the envelope, nobody could have prevented me from doing that, but I just wasn't going to give them the satisfaction! And I got up there on the bench and opened it, and question one was: Did you imprison the defendants on so and so and so and so for contempt of court? Second: Did you imprison the defendants by virtue of your authority as trial judge to regulate the bail? Third: Did you do it for some other reason, and so on and so on. Well, all this time, these fellows were snickering and laughing together there as much to say we got him in a corner now, all he's gotta do is to give the wrong answer, and we've got him in a pickle. And it wasn't settled, and it isn't today in our Circuit whether a trial judge has the right for any reason or no reason to revoke bail during the trial of a criminal case. Well, I said I punished them as and for a criminal contempt of court in my immediate view and presence, and in the exercise that my plenary power to govern the bail of the defendant on trial in the criminal case and in the exercise of each and every other power I possess under the laws of the Constitution of the United States. Well they weren't laughing, so much, then, the smiles were gone. If I had said that I did it merely as a use of the power to revoke bail, maybe they could have reversed it, because I couldn't make any proof that they were not likely to come back again the next day and go on with the trial, and that was a doubtful thing. But when I let them have it with all the barrels there were, although they took it up on appeal, they didn't get anywhere, and so it was with every appeal. And they appealed,

and appealed, and appealed, in those cases on various points, but they never got their foot in the door, thank goodness.

Now, that was the biggest effort they made to break up that trial. But they kept up this psychological warfare against me like this discrimination business right along. And one of the things they did, and the only one that really got me, was about a month after Forrestal died. You remember how he jumped out of the window in the hospital there. Well about a month after that, some of these pickets were going up and down in front of the court house with big signs that said, "Medina will fall like Forrestal." "Medina will fall like Forrestal." And they chanted that out there. "Medina will fall like Forrestal." And I began getting these communications, "Jump! Jump! You Gotta Jump!" Now you know, every time I've told that story, the people laughed, and I suppose it's because you people just can't imagine how it is to be one of those poor devils who's afraid of heights. But it just so happens that I'm one of those poor devils; how they found it out, I'll never know. I remember when I went to Niagara Falls with my father when I was about 16, and I couldn't go near the edge. All the other people were there watching the falls, looking at everything, and I was afraid I'd jump. And in our apartment there, we have two great huge windows there and we go to bed at night and Eth would just slam those windows up to the top, you know; and I'd say, "Eth, don't don't put those windows up so far. Put them down two-thirds of the way, anyway." And she couldn't believe that I really meant it. I tell you, ladies and gentlemen, to lie there in bed and see that window and have that terrible feeling that you've just got to get up and run for it. I tell you, it's a horrible, horrible feeling! And it took me, I guess, two or three years after that trial before I got over that. They never knew what my reaction had been to it.

I never said anything about it, but I tell you I'm sorry for those poor fellows that get taken prisoner by those people. You know, they've been trying some of those fellows in these military courts, I—I don't know, they have my sympathy. I just imagine what they could do if they had you in their power! Think what they did to me when I was a free man to walk around protected by F.B.I. people, and police, and state troopers, and all that. I used to think, these people in Russian hostory that jumped out the windows, I used to think they were pushed out. And remember how many of them there have been, remember that the President Masaryk of Czechoslovakia, remember that school teacher that jumped out of the window in the Embassy in New York; and you go back over Russian history and see how many people have apparently jumped out windows. Well, you don't have to push them out. You have somebody in your power, he'll jump out himself, if you work on him and you know how. And they do know how.

Well, I'm just going to tell you one little bit more, and then I get on to the other part of this. We got into August, and I tell you, I was feeling tired, sick and low. I didn't dare take any adjournments, we had the jury there all the time, and looking up these points of law every night. And all these things they were calling you all the time. It doesn't sound like much to you when you're not

there, but you think of an honest judge sitting there and practically being called a crook morning, noon and night, day in and day out, when you know you're not a crook; and I tell you it isn't easy to bear. It isn't easy to bear. They even accused me, one of those lawyers did, of misreading, deliberately misreading, an exhibit to the jury to prejudice the defendants. That's the kind of thing they were doing all the time. Well anyway, we got around there in the middle of August, and one afternoon about half-past three, I just began to feel dizzy and ill; and I was afraid I'd faint on the bench there. I didn't know what to do. And I finally said, "Well, gentlemen, I'll have to take a little recess, I don't feel well, I'm going out and lie down." Well if you'd seen the look on the faces of those fellows down there as much to say, "We got him now," "We got him now." I thought they did too. I didn't think I'd ever go back, and I went back in that same little room where we got that envelope from Judge Leibell, and I lay down there—and oh, I tell you, I prayed that afternoon. You know, it's a wonderful thing to have your faith. If you haven't got any faith, you can't do much praying; it doesn't mean a thing. But I had mine. I've had it ever since I was a child. And I used to do a lot of praying during that trial . . . sometimes just little short prayers during the day to keep in touch with God and ask him for strength and guidance to do his will; and when I prayed there a little while, I began to feel better and pretty soon I went back on the bench and I continued through the rest of that session and on through the trial. Oh, don't ever, don't ever underestimate the power of prayer, ladies and gentlemen. When we mortals get so that we think that we are the rulers of our destiny, that we are powerful enough to do things by ourselves, then is when we are weakest. The greatest source of our strength comes in looking to God for guidance and help and strength. We must do that.

Well, they did lots of other things to me. They used to, one day they came out with these placards "How do you spell Medina?—R A T"; and they chanted that for a while, but nobody paid any attention to that, so they changed it after a couple of days, and I won't repeat, as there are ladies here, what they said, but you can imagine what it is. "Judge Medina is a blankety-blank." "Judge Medina is a blankety-blank." And they kept that up chanting it all day long for two or three days. I could hear them up in my chambers. They weren't doing that to frighten me, they weren't doing that to make me angry. They knew by that time they couldn't make me angry no matter what they did. But they did it for another purpose, and it worked! From all over this country I began to get letters and telegrams and telephone messages. From lots of my friends right around New York City and all the judges saying, "Harold, you can't stand for this. What's the matter with you? Haven't you got any guts? You gonna let these fellows call you these names right in front of the court house in New York City and make a disgrace of the administration of justice all over the world? Are you going to stand for that? Aren't you going to punish these fellows for contempt?" Why that's just what they wanted! All I needed to do to follow in the wake of Judge Eicher was to do what Judge Eicher did! Punish for Contempt! Punish for Contempt! And then have hearings and proceedings and appeals; and the first thing you know, I wouldn't have lasted

a week. I wouldn't have lasted a week at that sort of thing, and that was what they were trying to do. I'm not going to tell you any more about it, because I want to give this contrast; and now I get over to the other part.

When the trial was over, I came down to say goodbye to my staff and thought that in two or three days, I could be off, clean things up; and first day I got down there and there was a bunch of letters. Maybe three or four hundred the first day, and the next day they began to come in by the bale. Now if you can picture how many letters you get in a bale, they were thousands and thousands and thousands of letters from all over the United States. Well, I did what I guess a lot of you fellows would do. I got two girls back from my old law office, and I had my secretary up there, and I had these three girls working in shifts, and there I was reading these letters and throwing them away and maybe answering two or three out of a hundred. Some old person would write—some blind person would write—I answered those. Letters that came as voices from the past when I was just a boy. Boys and girls that went to public school with me, that I hardly remembered. People who were teachers of mine at public school or prep school that I would have sworn hadn't even known I was in school! And these voices came and these messages and there was I reading and answering a few and throwing them away. And after about three days of that, I got the impact of this thing. And I said, "Why, Harold, you're in the midst of a great spiritual force! That you're getting the impact of—just pull yourself together here and catch on to what's going on!" And then I read the letters with a different feeling and a different understanding. They weren't fan letters. They weren't telling me what a great fellow I was. These people were saying to me, "I love America, Judge, I love American justice, and I want you to know I love America too!" Oh! They were so intimate! The people just *had* to write! It was just as though the word "AMERICA" was written across the face of every one of those letters.

Let me just tell you a few little things about it. Now . . . I think the most striking thing was that over a thousand of them came signed by a husband and wife together. I never heard of that being done before. You know how close you men are to your wives. You know how you love one another. You know how you help one another getting along through life. Well here were these people, they wanted Judge Medina to know that they were in on this together —the two of them, the husband and wife. They loved America too! And they wanted to be there together. Thousands or more of them. Just think of it! Think what it means! Here we wonder, is America going to pot? Are we to have all pessimistic views of the future here? Oh, no, not while this sort of thing can go on. Why they came from little businesses. Beauty Shops! Filling Stations! One I remember especially came from a Greek restaurant that was typical. And they had the names of everybody down! They didn't just say "From the Greek Restaurant, Such and Such a Place," but they'd all be down with their signatures, and what their job was there, and the dish washer, the assistant dish washer, the porter, and the hat check girl, and the boss was somewhere in the middle there—he wasn't at the top. And this kind of thing, who was the boss, who was the big man, who was the little man, didn't count any

more. Didn't *count* any more. Beginning to get it? When you're in something big, when you're in spiritual forces that are buffeting you around, taking you in their possession and making you do things, it doesn't matter any more who's got the money, who's got the position, who's got the authority. It's *America* we're talking about. America we love! We're all in there together! And so, one telegram came—all the patients in a hospital were sending it. When it got down to the nurses' desk, all the nurses put their names on too. They didn't just say "The nurses of such and such a hospital," but they had their names on there! And it got over to Western Union, and the Western Union girls put their names on too. Put their names on too.

You know, I don't know how many of you have seen that little moving picture called "LILI." It's a picture of a little girl who is kind of lonesome, and she's in this circus somewhere or other. Somebody started her working in some part of it there, and she's so lonesome, and she gets up to a little puppet show they have there, and she's singing to these puppets that nobody cares. And you can see the audience in the moving picture there; they're standing around listening to her, and one spectator will say, "I care," and then another one, "I care," and another one, "I care." And that's the way it was with me. All these voices from all over America saying, "I care, Judge, don't forget me, I love America too, just as you do." All individuals that wanted me to know. Can you imagine? Can you imagine going through such an experience, ladies and gentlemen? How wonderful it was for me, there for the moment, to be the symbol of patriotism —the symbol of justice to all these people. Didn't make any difference whether I didn't deserve it. I know I didn't do any different from what any other judge would have done. But the point is what these people thought! That they *had* to do it! They still do it! I get letters even now from people that say, "Oh, I was going to write to you after the trial, and then it was too late; and I've been thinking about it, but I guess it's *never* too late. I just had to write to you, Judge." Some people up in Oregon, who were four fellows out fishing the other day on one of the lakes up there, and they got to talking about me; and one of them said, "Well you know how it is in America, one day you're a hero, the next day you're a bum." Well they said, "I don't know, maybe we ought to write to the judge. Maybe people have forgotten. Maybe their thoughts go away from that." Well—you haven't forgotten me either, have you? I know that. I hope I'm never going to do anything to spoil it all. I've tried not to. I suppose I shall some day, but I hope I shant. And so I got a letter from one of the fellows that were out fishing in the boat; and that's only a week or so ago. And the kind of thing that happened—physically—not just letters—the people—not the bank presidents—not the big fellows—not the ones with the money—not the ones with the high hats and the special clothes and all that—but all the little people that run the shops and stores come out and say, "Judge, I'm glad to see you." The day I was made a Circuit Judge, I was going down to get my car to drive down to the court house; and two carpenters ran up from a building operation up the street and one of them put his . . . put his arm around my shoulder, and he said, "Judge, we're glad you got a raise."

Well, they really were glad, they really were glad. I had a man on the plane

here before we got into Kansas City just yesterday. I didn't even know he had any idea who I was, and I noticed him kind of looking over to me and finally he got up and came over and said, "Judge, I wish you'd shake hands with me; I've got a lot of respect for you." Of course, I was delighted to do it. And I guess the most important thing that ever happened, the most striking, was when I was out in San Francisco—this is shortly after the trial—and one of these funny little cable cars went along; and there was a workman in there with his lunch box, and he took one look at me and he jumps off the car and he came over and grabbed me by the arm and looked me right in the eye and never said a word. The most eloquent speech I ever heard! I knew what he was saying, and he knew. You know, when the relationship, ladies and gentlemen, is pure, it makes a difference. I'm not looking for anything. I wasn't looking for anything there. I'm not in politics! I'm not running for anything! There isn't anything I want. There wasn't anything any of these people could get from me! They weren't looking for anything. They were just telling me that they loved America.

Well, . . . You know, the moral from all this is that it's the spiritual things that count. The spiritual forces are so much more powerful than the bombs and all the armaments and all the great production and all the wealth of America. Just bear in mind, ladies and gentlemen, that this country was founded on the basis of spiritual values. Spiritual values don't always mean saying your prayers and going to church. Of course, I think those things are good! I try to do the best I can to lead a good life as a Christian. I know I slip back, and I don't do the things I ought to do; but the point is, these spiritual forces include such things as Good Will . . . Good Will. "Love thy neighbor as thy self." Well, you know, in that part of our communion service in the Episcopal Church, I remember where it said that Christ said that the first and great commandment is to "Love the Lord, thy God, with all thy heart and all thy soul and all thy mind; and the second is like unto it, love thy neighbor as thy self. Upon these two hang all the law and the prophets;" and it's truly so, Good Will is such a precious thing. You people manifest it . . . down here. You're friendly people. You like to help other people. But you can do more than you do—so can I. Good will, and justice and freedom! *Those* are American! Aren't they? Wholly, purely American! Those are the things that our country was founded upon!

And so, there we have it. I've talked longer than I should, and so I'll wind up on the note that I'be been through a marvelous experience. Nobody can ever take that away from me. Thank you. (Prolonged applause.)

PRESIDENT DEPEW: Judge Medina, pursuant to the action taken by the Executive Council of the Bar Association of the State of Kansas, I have the honor and am most happy to present you this honorary membership in this Association.

JUDGE MEDINA: Thank you, thank you all.

BOOK "JUDGE MEDINA SPEAKS" REVIEWED

By FRANKLIN CORRICK, *Editor-in-Chief*
Journal of the Bar Association of the State of Kansas

The book entitled "Judge Medina Speaks" consists of a number of addresses delivered by him, many of them since the conclusion of the trial of the Communist leaders on October 14, 1949. The book was prepared and edited at the request of the Section on Judicial Administration of the American Bar Association, and published under its sponsorship. The author, United States Circuit Judge Harold R. Medina, was chairman of that "Section" during 1951-1952. However, the book sponsors state that the author speaks for himself, and not officially for any organization or group.

This review of the book was written to follow "Judge Medina's Speech," which appears on pages 1-13 of this issue of the Kansas Bar Journal. The PUBLIC RELATIONS COMMITTEE of the Kansas Bar Association is distributing copies of Judge Medina's Speech as separate reprints, in response to various requests.

Judge Medina's photograph which appears on page 1 of this issue undoubtedly merits a quotation here, from page 302 of his book. It was made by an old lady 87 years of age, who commented quietly: "I seem not to remember a countenance which shows such character, I just like to look at it." Shortly after the conclusion of the Communist trial, a messenger boy employed in the courthouse implored the judge to rest so as to "get back that bold look." These are just two expressions from the 30,000 or more letters and telegrams from every state of the union and from abroad, and from every walk of life (page 299). Only a few excerpts from these are printed in the book. On page 301, it is stated: "Certainly the important thing about letters [to Judge Medina] is their demonstration that the people respect and demand a fair trial for all, and that they appreciate the difficulty inherent in sound judicial achievement."

The book should be of interest to all lawyers and judges, because it contains things that they want to hear, as evidenced by many well-attended meetings of bar associations during recent years at which Judge Medina was the principal speaker. Laymen, as well as lawyers, who want to learn more about Judge Medina, will want to read his printed speeches. One part gives a vivid description of his Princeton University class reunions, the "Spirit of Princeton," and tells about the hecklers of the class toastmasters. To quote Judge Medina: "While it is not generaly known, I am sure you will not doubt my word when I tell you that it was at these class dinners I really got my training for the Communist trial." The Class of '09ers and "Josh Brush," their Class Secretary, were pictured in an address before the Graduate Council of Princeton in 1950. This address appears on pages 172-183, and typifies Judge Medina's concrete, preliminary true-story telling "on the bias" approaches to his "tie it up" statements by "indirection" or "footnote," as he usually describes them.

The Foreword to the book states that "It was impressive to see the way in which he turned the personal popularity he had won to strengthen the public's confidence in the courts, and to contribute to the solution of the problems of judicial administration." The Foreword disclaims any "desire to exploit Judge Medina's 'good press' and hypnotic audience appeal as propaganda for all judges. It is rather our thought that the important things he has to say should be shared with more people . . ."

The first section of the book quotes speeches made by Judge Medina in 1951 and 1952

on the "Metamorphosis of a Judge" with respect to improving the administration of justice. Speaking before a committee on judicial administration of the Pennsylvania bar association in 1952, Judge Medina said that prior to the trial of the Communist leaders he was not accustomed to "being thrown into the limelight and into the vortex in which I still find myself." After stating that he had resolved to turn down various activities, such as going into politics, making speeches, and so forth, Judge Medina declared that his activities would be devoted to the performance of his judicial duties and the improvement of the administration of American justice. Believing that judges must lead in the fight for improvements in judicial administration, he mentioned various accomplishments of members of the judiciary, and concluded by observing that it is a slow process and that we must not "lose our sense of proportion."

"The administration of justice is a great and cooperative effort in which every single member of the community must shoulder his or her own responsibilities if we are to have one hundred percent justice, which is the only kind of justice worth having." (p. 223) This (100% justice) "can only be obtained by the fullest cooperation between the judges, the lawyers, the law schools and the community at large." (p. 160)

This last quotation was taken from a speech made in 1952, before a gathering of law school alumni, in which he discussed the important role which law schools should play in the improvement of procedure in the courts. He mentioned "a new way of teaching procedure." A former teacher of procedure in the Columbia Law School, Judge Medina predicted in 1952 that the historical method of teaching procedure will change to one of placing more emphasis upon the broad concepts of judicial administration in a modern setting, such as reflected in the federal rules of civil and criminal procedure and minimum standards for the administration of justice.

The writer of this review was fortunate, indeed, to have heard Judge Medina speak in Kansas this year (1955) and to have talked with him and Mrs. Medina, who autographs her name as "Ethel Hillyer Medina." She is affectionately referred to as "Eth" by Judge Medina on pages 3 and 9 of this issue. Both appeared very much at home in Kansas, and their radiant personalities will always be an inspiration and a cherished memory.

Throughout the pages of his book, he reaffirms his faith, hopes, beliefs and aspirations, bringing into his discussions a wide range of subjects, a portrayal of plain honesty, far-sighted brilliance and down-to-earth good-natured humor that have won for him an endearing place in the hearts of Americans. Striking examples of these are: His encouragement to a schoolboy, who was editor-in-chief of his preparatory school publication, whose millionaire father wanted him to get the boy to give up his favorite pastime of writing fairy stories; his legal advice to a young mother whose baby was killed in an automobile accident; his answers to the question "why study Latin?"; his description of how he, as a new judge, tried his first patent case; his inspiring high school commencement addresses; his speech on the lifetime job of character building at the commencement exercises of Massachusetts Institute of Technology, with emphasis on the quality of loyalty and plain ordinary "guts"; and last but not least, his discussion of the impact of religion upon the performance of the judicial function and how his religious background, the power and strength of prayer and the feeling that the presence of Someone beside him had saved him, and perhaps the cause of Freedom, during the trial of the Communist leaders in 1949.

The book "Judge Medina Speaks" is copyrighted by the Section on Judicial Administration of the American Bar Association, and is being sold for $5.00 per copy. Proceeds from the sale of the book go to the "Section." Orders for the book should be addressed to the publisher: Matthew Bender and Company, 443 Fourth Avenue, New York, N. Y.

"WITH BENEFIT OF COUNSEL"

NEW PUBLIC RELATIONS FILM AVAILABLE

The Public Relations Committee of the Bar Association of the State of Kansas is pleased to announce that it now has available a public relations film for the Association. It represents an important addition to the PR aids available from the Association and was the first professionally produced dramatic sound film in full color, to show the importance of the lawyer in maintaining the basic foundations of democracy. One of its purposes is to portray the lawyer in his true place in society.

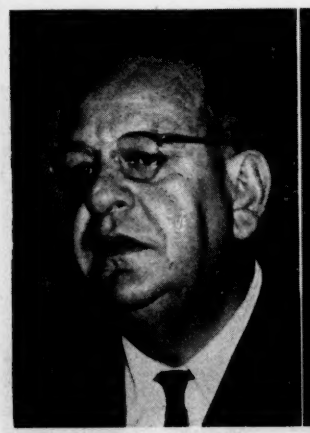
Utilizing as much of the information obtained from a statewide public opinion survey as could be covered in fourteen and a half minutes, this film visually portrays the lawyer, his schooling, his professional skill, his standing in the community and the need for his services.

It is a sincere, heart-warming story of an understanding father, who is a lawyer living in an average size community, discussing with his son the various aspects of the legal profession as a career. Every effort has been made to make it technically and legally applicable to every locality in which it may be shown.

The film has many uses. It can be shown before civic, school and community groups as well as over television stations. A print of the film is now available to local bar associations free of charge as part of the public relations program of your state bar. In order to get wide coverage over the state you are asked to request the film for definite dates and to return the film promptly.

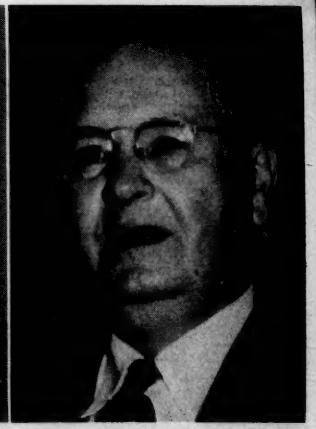
To obtain film write:

JOHN W. SHUART, *Executive Secretary*
BAR ASSOCIATION OF THE STATE OF KANSAS
Garlinghouse Bldg.
Topeka, Kansas



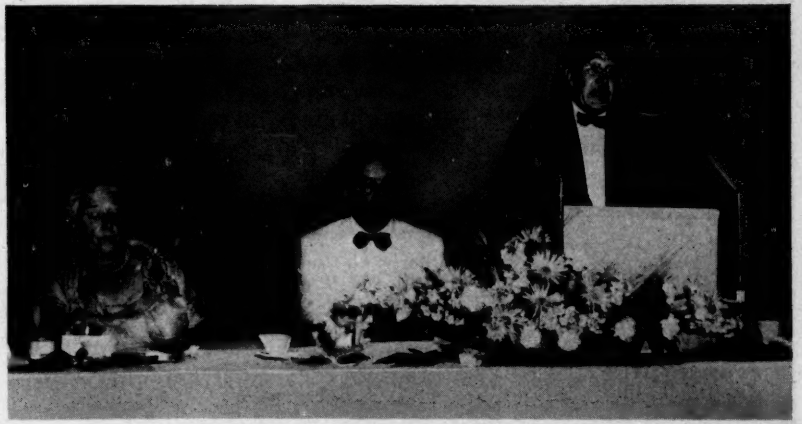
W. D. P. Carey:
"Welcome to Hutchinson,"
May 19, 1955.

New officers of the Bar Association of Kansas for 1955-1956 are *left to right*: O. B. Eidson, vice-president; Claude E. Chalfant, president; J. Willard Haynes, president-elect; and George B. Powers, secretary-treasurer.



Dean E. Blyth Stason,
University of Michigan Law School:
"Remarks."

Left to Right: E. E. Glasscock, J. C. Ruppenthal, Carl M. Holmquist, Robert H. Garvin and Otis S. Allen receiving "Fifty Year Certificates" from Beryl R. Johnson, chairman of Historical Committe of Bar Association of Kansas.



Left to Right: Mrs. Harold R. Medina, wife of Judge Harold R. Medina; Claude I. Depew, 1954-1955 President of the Bar Association of Kansas; and Harold R. Medina, speaker at the Annual Banquet on May 20, 1955.

Seated at the speakers table of the 73rd annual banquet of the Bar Association of the State of Kansas are *left to right*: Edward F. Arn, former Governor of Kansas; Claude E. Chalfant, then president-elect of the Bar Association of Kansas; Mrs. Fred A. Croft; W. D. P. Carey; Mrs. Harold R. Medina; Claude I. Depew, then president of the Bar Association of Kansas; Judge Harold R. Medina; Mrs. Claude I. Depew; Judge Walter A. Huxman; Mrs. W. D. P. Carey; Reverand Fred A. Croft; and Mrs. Claude E. Chalfant.

RECENT ADDITIONS TO THE STATE LIBRARY

Antieau, Chester James. Municipal corporation law. 2 v. Matthew Bender, 1955.

Association of the Bar of the City of New York. Bad housekeping—the administration of the New York courts. (Report of the special committee on studies and survey of the administration of justice) The Assn. of the Bar, 1955.

Baker, J. Newton. Law of disputed and forged documents. Michie, 1955.

Beaney, William M. The right to counsel in American courts. U. of Mich. pr., 1955.

Canada, Revised Statutes of 1952. 6 v., Queen's printer, 1952-3.

Courville, Cyril B., M.D. Commotio cerebri—cerebral concussion and the post concussion syndrome in their medical and legal aspects. San Lucas pr., c. 1953.

Curtis, Charles P. It's your law. Harv. U. pr., 1954.

Dodd, Edwin Merrick. American business corporations until 1860 with special reference to Massachusetts. Harv. U. pr., 1954.

Fratcher, William F. Perpetuities and other restrains—a study of the Michigan statutes and decisions relating to perpetuities and other devices which fetter the alienability of property, against the background of the laws of England and other American jurisdictions. (Michigan Legal Studies.) U. of Mich. Law School, 1954.

Griswold, Erwin N. The fifth amendment today—three speeches. Harv. U. pr., 1955.

Harris, Marshall. Origin of the land tenure system in the United States. Iowa State College pr., c. 1953.

Hoebel, E. Adamson. The law of primitive man—a study in comparative legal dynamics. Harv. U. pr., 1954.

Lieberman, Milton N. Effective drafting of contracts for the sale or real property with check list and suggested forms. Gann., c. 1954.

Liebman, Charles, ed. Directory of American judges with a table of the federal and state courts. American Directories, 1955.

Newman, Ralph A. Trusts, 2d ed., (Univ. textbook series.) Foundation pr., 1955.

Shiras, George, 3d. Justice George Shiras, Jr., of Pittsburgh: a chronicle of his family, life, and times. c. 1953.

U. S. v. Morgan, et al. (The investment banking antitrust case) Selected briefs, corrected opinion of Judge Medina, etc. 3 vs. 1955.

Wichita, Kansas, City of. Code of the City of Wichita, Kansas. The general ordinances of the city enacted as a whole May 24, 1955, effective June 1, 1955. 2 v., Michie City Pub. Co., 1955.

(Books may be borrowed from the Kansas State Library for limited periods of time and will be sent upon request.)

CITY ATTORNEYS' PAGE

GORDON K. LOWRY, Valley Falls.....*President*

FRED C. LITTOOY, Hutchinson.....*First Vice-President*

C. W. BRENNEISEN, JR., Kansas City.....*Second Vice-President*

W. K. DILLENBERGER, Oswego.....*Secretary*

G. I. ROBINSON, Ellinwood.....*Treasurer*

President Lowry Presides at Special Meeting: Officials of the Association met in Topeka at the office of the League of Municipalities on June 20, with the following members being present: Fred C. Littooy, W. K. Dillenberger, G. I. Robinson, H. L. Sheppeard, Fred Carman, Arthur Hodgson, Keith Sebelius, T. G. Gaston, and Secretary L. W. Chesney. President Lowry presided at the sessions which included a morning round table, noon luncheon and afternoon discussion.

Plans Projected for Fall Meeting: Secretary Chesney reported that the 47th Annual City Convention of the League will be held at the Hotel Baker, Hutchinson, on September 12-13, 1955, and explained the general plans of the convention arrangements and provisions being made for meetings of groups of city officers in conjunction with the Annual City Convention whereby a general meeting of city delegates and officers in attendance would be held on the morning of the first day of the convention (September 12); separate luncheons will be held for each group or association of city officers in attendance at noon of the first day; and an afternoon meeting would be arranged for each group of city officers and that each particular organization of city officers would be invited to prepare the program for their separate meetings. He further said that tentative arrangements had been made for the luncheon and afternoon meetings of the city attorneys to be held in the Emerald Room, Hotel Baker and recommended that the City Attorneys' Association follow the general plan of the City convention and hold a luncheon and afternoon meeting and prepare the program for the city attorneys' part of the convention program. After some discussion of the foregoing, it was moved and carried that the City Attorneys' Association would hold a luncheon meeting and prepare and sponsor the afternoon meeting for city attorneys.

Tentative Agenda Announced: During the afternoon meeting on the 20th, the following tentative agenda was discussed and approved:

2:00 p.m. *A State Senator Looks at City Legislation*—Senator Garner Shriver, Chairman of Senate Committee on Municipalities.

2:30 p.m. *Preparation and Use of Model Ordinances*—L. W. Chesney, Research Attorney, The League of Kansas Municipalities.

3:00 p.m. *General Panel Discussion of Problems of Municipal Law*—Moderator—H. L. Sheppeard, Clay Center.

(a) Municipal Tort Liability and Tort Claims—C. W. Brenneisen, Kansas City, and Tom Lillard, Jr., Salina.

(b) Condemnation Procedures and Questions of Law—R. C. Woodward, El Dorado, and Robert Norton, Wichita.

(c) Revenue Bonds with Particular Reference to Water and Sewage Improvements—D. V. Romine, Abilene, and Fred Rausch, Assistant Attorney General.

4:15 p.m. *Hospitality Hour*—Arrangements to be made by F. C. Littooy, Hutchinson.

All of the assignments were subject to change.

Standing Committees Selected: At the noon luncheon guests included City Attorney James W. Putnam, Emporia, and City Manager T. C. Chenoweth, Hutchinson. During this session the following standing committees were established and approved, the first named city attorney to serve as chairman:

(1) *Tort Liability*—Paul Donaldson, Wichita; B. G. Larson, Dodge City; and W. K. Dillenberger, Oswego.

(2) *Eminent Domain and Condemnation*—Lloyd Haag, Garden City; Malcolm Copeland, Topeka; Roger Morse, Marion.

(3) *Zoning and Building*—Ed Page, Atchison; Ed Moses, Great Bend; and J. Sidney Nye, Newton.

(4) *Municipal Courts*—James W. Putnam, Emporia; Harold McCombs, Russell; and Theodore Hill, Wichita.

(5) *Finance and Budgets*—Robert Briley, Chanute; Charles Platt, Junction City; and William Shaffer, Frankfort.

The purpose and duties of the standing committees of the Association was discussed and it was planned that the committees make a survey of Kansas municipal law, problems and developments in their particular fields each year for report and discussion at the annual spring meeting and that particular effort be directed to obtain firsthand information from city attorneys touching their activities in these several municipal fields. The hope was expressed that the work of the standing committees would result in more than a formal report of municipal law developments.

Legislative Committee Appointed: Members of the City Attorneys' Legislative Committee appointed are as follows: Chairman—Fred Carman, Topeka; Vice-Chairman—John Morse, Mound City; C. W. Brenneisen, Jr., Kansas City; F. C. Littooy, Hutchinson; Fred M. Aley, Wichita; Douglas Gleason, Ottawa; Mitchell Bushey, Iola; Robert Ferguson, Marysville; Laurance Mulliken, Columbus; Roy V. Nelson, Robinson et al, Hiawatha; and ex-officio Gordon K. Lowry, Valley Falls.

KANSAS TAKES POLL ON LEGAL AID

An unusual plan for a statewide legal aid-lawyer referral program is under consideration by the *Bar Association of the State of Kansas.* Lawyers of that state have been asked to express their approval or opposition to it in a postcard poll being conducted by the state association. Here are the essential features of the plan:

1. Ten legal aid-lawyer referral districts would be established to blanket the state. The overall state program would be directed by a committee composed of a chairman and ten members, one from each district, who would be appointed by the President of the state association.
2. Each district member of the committee would be responsible for establishing and maintaining the program in his district, and would appoint one or more lawyers in each county "who shall, without expectation of compensation, provide legal aid, advice and assistance to all persons entitled to receive such assistance."
3. Lawyers so appointed would agree in writing to provide counsel without charge to persons without financial means, or at fees less than ordinary charges in cases of persons of limited means. If the committee member were prevented for any reason from taking a particular case, it would be his responsibility to designate another lawyer to act in the matter.

In its report to the Kansas bar, the Committee on Legal Aid, which drafted the plan, declared that legal aid and lawyer referral services are closely related and that "both are designed to make legal assistance available to all people irrespective of their financial ability to pay."—A.B.A. Coordinator (August 15, 1955).

WELCOME TO NEW LAWYERS

Since February, 1955, sixty-seven successful candidates for admission to the bar took their oath before the Supreme Court at Topeka. The Executive Council of this Association believes there is need for liaison between the new attorneys who are still seeking associations or other opportunities and those established lawyers who desire to offer same or have knowledge thereof. For this purpose, lawyers are urged to make use of the Association's office by forwarding pertinent information to John W. Shuart, Executive Secretary, 522 Garlinghouse Building, Topeka, Kansas. The names and addresses were listed as follows:

Name	*Address*	*School*
George Parker Nellans	2315 Thompson Ave., Dodge City	Washburn
Robert Dallas Smith	1111 Clay, Topeka	Washburn
Barton Pollock Cohen	6301 Belinder, Mission Hills	Harvard U.
Kenneth Edward Walden	6 S. 25th St., Kansas City 13	U. of K. C.
Elbert Eugene Innis	5912 W. 74th St., Overland Park	U. of K. C.
James Kenneth Logan	3811 W. 7th St., Apt. 22, Topeka	Harvard U.
Eberle Alexander Baldwin	P.O. Box 261, Emporia	Washburn
Daniel Marsh Welty	111 E. 11th St., Topeka	Washburn
Kenneth Franklin Metzger	Oskaloosa	Washburn
Loren H. Hohman	1937 Arnold St., Topeka	Washburn
Richard Frantisek Hrdlicka	c/o Speir, Stroberg & Sizemore, Newton	Washburn
Jerry John Berkley	Tescott	K. U.
Vincent Lavaughn Bogart	625 Apache, Wichita	Washburn
Charles Howard Washburn, Jr.	811 W. 7th St., Junction City	K. U.
Donald Alfred Bell	429 S. Elizabeth, Wichita	Creighton U
Kenneth Edward Geier	5313 Mohawk Lane, Kansas City	National U.
Charles Dee McAtee	Box 36, Mahaska	Washburn
George Thomas Van Bebber	Troy	K. U.
Richard Michael Sangster	720 W. 1st St., Junction City	Washburn
Joe William Peel	2108 Potomac Drive, Topeka	Washburn
Terrence Dingess Michael O'Keefe	203 E. Laramie, Atchison	Washburn
Melvin Dean Burkhead	Monument	K. U.
Harold Kipling Wells	6032 Everett, Kansas City	Washburn
Reuben Eugene Weatherford, Jr.	104 E. 6th St., Caney	Texas U.
John Douglas McBride	312 N. Fountain, Wichita	K. U.
Richard Barbour Altman	210 N. "F" St., Wellington	K. U.
Edward Stephens	615 Esplanade, Leavenworth	U. of Louisville
Wilbert Wayne Phalen	Pleasanton	Washburn
Rodney Hubert Busey	609 N. Volutsia, Wichita	Washburn
Zenas Arthur Nevins, Jr.	1111-6th St., Dodge City	Washburn
William Thomas Davitt	1205 Bitting Ave., Wichita 5	Washburn
Gary Mike Hilgers	1102-4th Ave., Dodge City	Washburn
Robert Ray Arnold	530 E. 57th, South, Wichita	Washburn
Robert Lee Earnest	849 E. 4th, Russell	Washburn
Cecil Eugene Merkel, Jr.	Garfield	Washburn
Robert Frank Lytle	1547 Kentucky, Lawrence	K. U.
Kenith Raymond Howard, Jr.	4113 Walnut St., Kansas City, Mo.	K. U.
Willard Joyce Kiser, Jr.	155 N. Crestway, Wichita	K. U.
Dale Clifford Allison	626 S. Belmont, Wichita	Washburn
James Robert Ahrens	2501 Seabrook, Topeka	Chicago U.

Name	*Address*	*School*
Dale Kent Frizzell	220 N. Sedgwick, Wichita 12	Washburn
Gene Arthur Powell	1529 Plass, Topeka	Washburn
Ramona Lee Funk	Ness City	Washburn
William Ray Hainline	c/o Albert Welch, Rt. 1, Great Bend	Washburn
Gerald Ivan Rogers	119 E. 12th,Wellington	K. U.
Billy Dean Watson	Turon	Washburn
Donald Lewis Deam	2009 Lincoln, Topeka	Washburn
Kenneth Alan Morrow	101 S.E. Byers Ave., Pendleton, Ore.	K. U.
Harold Kane Greenleaf, Jr.	2412 Medford Court—West, Fort Worth, Texas	K. U.
Richard Earl Jackson	811 W. Hickory, Dodge City	K. U.
Gailen Lee Keeling	1525 Washburn, Topeka	Washburn
James Robert Caywood	1219 Parkwood Ave., Garden City	K. U.
Charles Nelson Henson, Jr.	Belleville	K. U.
S. George Voss	Lawrence	K. U.
Curtis Dean Terflinger	Kansas City, Kansas	K. U.
Thomas E. Allen	Council Grove	K. U.
Hal Eugene Cleavinger	Manhattan	K. U.
John August Carlson, Jr.	Topeka	Washburn
Donald Nelson Dirks	Moran	K. U.
Richard Francis Jones	Topeka	Washburn
Robert Scott Turkington	McCune	K. U.
Donald Cummings Studley	Lawrence	K. U.
Wayne LaVerne Zeigler	Abilene	K. U.
Charles Joseph Carroll	Great Bend	Notre Dame U.
Dietrich Neal Klassen	Nickerson	K. U.
Stanley Williams	Oswego	Washington & Lee U.
William Leonard Fry, Jr.	Wichita	Okla. U.

RETIREMENT BILLS FAIL IN CONGRESS

Congress adjourned for the year without final action on either of two pieces of legislation widely watched by lawyers. One was the Social Security Act amendment which would bring lawyers into the social security system, and the other was the Jenkins-Keogh bills to allow lawyers and other professional people and self-employed persons, to establish their own private retirement programs through tax-deductible payments into personal pension funds.

The social security amendment passed the House, but failed to reach the Senate floor. As it passed the House it provided for compulsory coverage of lawyers (but not doctors) under social security, as opposed to the voluntary inclusion plan favored in a resolution adopted last February by the House of Delegates.

The Jenkins-Keogh bills won a surprise vote of approval of the House Ways and Means Committee, 16 to 8, in the closing days of the session, but that was as far as it got. —A.B.A. Coordinator (August 15, 1955).

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PROCEEDINGS

OF THE

SEVENTY-THIRD ANNUAL MEETING OF THE BAR ASSOCIATION

OF THE STATE OF KANSAS

HUTCHINSON, KANSAS

MAY 19, 20, AND 21, 1955

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THURSDAY, MAY 19, 1955—BALLROOM, BAKER HOTEL

OPENING CEREMONIES

PRESIDENT DEPEW: Ladies and Gentlemen: The 73rd Annual Convention of the Bar Association of the State of Kansas will come to order.

The Navy will advance the Colors. (The Colors were advanced by the Navy.)

PRESIDENT DEPEW: Will you remain standing, please? Reverend Throckmorton will give the invocation.

INVOCATION

REVEREND J. RUSSELL THROCKMORTON: Let us pray. Almighty God, we come to the beginning of this day reverently and in the spirit of prayer. Help up to understand what it means for a mortal being to approach the divine.

We recognize there are times when we need a wisdom and judgment beyond our own and we call upon thee.

God bless these men upon whom there has fallen the responsibility of administering the laws of our land, those safeguards of liberty and of human rights and dignity. May they recognize that higher law which is the source of all justice and all mercy, and wilt thou bless our land—this land of freedom—purchased by the sacrifice and the investment of the best that men have had. May we carry the torch of its ideals and its privileges in a sense of reverence and sacred obligations. Bless this conference; that its results in fellowship and understanding of one another and in the understanding or responsibility may make more effective the practice of the vocation of those who assemble here. Lead us in all of our deliberations, whether collective, professionally, or personally by the wisdom and the invite of thy divine spirit. Amen.

APPOINTMENT OF CONVENTION COMMITTEES

PRESIDENT DEPEW: I have three committees to appoint at the opening of the session.

On the Rules Committee, I will appoint our perennial chairman, Dallas Knapp, also Mr. J. B. McKay and Mr. John O'Brien.

On the Resolutions Committee, Judge J. G. Somers, Wesley Brown and Judge Beryl Johnson.

On the Nominating Committee, D. C. Martindell, P. K. Smith and Everett Steerman.

We will now have an address of welcome from the President of the Reno County Bar Association, Mr. Bill Carey. (Applause.)

ADDRESS OF WELCOME

MR. W. D. P. CAREY: President Depew, Ladies and Gentlemen, and Members of the State Bar Association: No time limit was placed upon me and as all of you who are engaged in the same profession as I know that is very, very tempting to a lawyer; however, they did hand me a program and I am the kind of a fellow who can take a hint; and allowing a few moments for the President to make his address, a few moments for the remarks by another distinguished speaker, if I didn't take any time at all it would leave two minutes and a half for the committees in order to get you out at adjournment

time. However, I don't feel that time is so important because of the warmth that those of us in the Reno County Bar feel. Seriously, you can't know how happy we are to have you here as our guests. We have been guests of the Wichita Bar and the Topeka Bar frequently and have enjoyed every minute of their meetings, and the Kansas City Bar on the one occasion that we were there, and it has been all too long since we have had the facilities that made it possible for us to entertain you and have you here. We are particularly happy to have you here this year when our own Claude E. Chalfant will become President of the State Bar Association.

It has been said that man was a social animal. That together with his desire to learn and to develop himself mentally and spiritually distinguish him from other people. So it is with lawyers.

With the officers and members of the Executive Council and the very efficient Executive Secretary, John Shuart, our Bar has prepared and offers to you a program that we think is designed to satisfy not only our social inclinations and those very healthy instincts but also the desire to learn and improve in such a way that we shall be able, as Reverend Throckmorton said, to develop that understanding and fellowship and sense of responsibility that is so important in all activities but particularly to us lawyers.

We have a fine Bar here in Reno County. We always have had. We have a fine community that is proud of our Bar, as are we. The Bar is proud of our community.

I say to you that it gives me a great deal of happiness to have the opportunity, both on behalf of the community and of the Reno County Bar Association, to say "welcome." We are glad to have you. If there is anything we can do to promote your enjoyment during this meeting—very important meeting of this fine Association, call on us. Thank you. (Applause.)

PRESIDENT DEPEW: The response to that warm welcome will be given by Mr. J. Willard Haynes of Kansas City. (Applause.)

RESPONSE TO ADDRESS OF WELCOME

MR. J. WILLARD HAYNES: Mr. President, President Carey of the Reno County Bar Association, Members of the Judiciary, Ladies, and Gentlemen of the Bar: We thank Mr. Carey for his kind invitation, for the hospitality that he has extended and that they will extend in the next few days.

About 1,600 lawyers belong to this organization, and I know that each year we all look forward to getting together in one of the cities of Kansas and enjoying the time that the occasion affords.

We are happy to be here and we thank you again for the invitation that comes and the hospitality that you now extend to us. Thank you. (Applause.)

PRESIDENT DEPEW: Pursuant to the requirements of our by-laws, we will now have that President's address that Mr. Carey referred to which will leave some time for the consideration of reports.

THE PRESIDENT'S ADDRESS

As you all know, the by-laws provide that the President shall make an address at the opening session of each convention. The subject is left to his discretion. In recent years

it has become the custom to have the President talk about the work done by him and the Association during the past year. I think this is very appropriate, because the membership is entitled to know something about what the Association has been doing and how the President has performed. A more appropriate title for this dissertation would be "President's Report" or "President's Remarks." It is hardly an "address." We have too much important work on our program for me to take up time in trying to express any profound thoughts—even if I could have any.

While the office of President of the Bar Association of the State of Kansas entails both tasks and pleasures, I will say that from my experience the pleasures outweigh the tasks. The performance of the duties and the exercise of the privileges of the office consume a considerable amount of time, but the rewards in pleasure and satisfaction are great.

The opportunity of attending the conventions of the Bar Associations of neighboring states and the meetings of the district and local Bar Associations of Kansas and the legal institutes in the state is a real privilege. The personal satisfaction and benefits more than compensate for the expenditure of time and effort required of the President. The acquaintances made, the ideas picked up, and the mutual feelings of good will established all tend to make one believe that the time and expense are used for a worthwhile cause. Neighboring Bar Associations and local Associations in Kansas are eager and anxious to receive suggestions and ideas that will possibly make their work more effective; and I shall always feel that our Association has been benefited to such an extent that we have had the best of the bargain in every case where an exchange of ideas was possible.

It might be interesting to the members to know something of the statistics which I have compiled from records kept during the past year concerning the activities of the President. He has attended four meetings of the Executive Council, one at Hutchinson in June, one at Wichita in October, one at Dodge City in December and another at Hutchinson just before this meeting; and these are not perfunctory gatherings merely to appoint committees and receive reports, but are serious sessions lasting from a half-day to a day where matters of importance are considered and decided by a group of men who are honestly and sincerely interested in advancing the interests of all the lawyers of Kansas. Other activities of the President included attendance as a guest at the State Bar Conventions of Texas, Colorado, Missouri, and Oklahoma; at the National Conference of State Bar Presidents at Chicago; at the American Bar Association meeting in Chicago where this Association was awarded a certificate of merit because of activities that had been carried on, particularly in the field of public relations; attendance at the Tenth Circuit Judicial Conference at Estes Park, Colorado, where the Kansas Bar was so well represented; attendance at the meetings of the Southwest Kansas Bar Association at Hutchinson and at Dodge City; at the meeting of the Judges' Association at Salina; at the annual meeting of the Montgomery County Bar Association at Independence; at the institute conducted by the Leavenworth County Bar Association; at the opening of the Traffic Court Conference sponsored by the Association and the University of Kansas at Lawrence; at the Topeka dinner honoring Justice Wedell; at the Five-State Institute conducted by the Oklahoma Bar at Guymon, Oklahoma; and at several other gatherings of lawyers.

The pleasure of serving as your President was greatly enhanced by the opportunity

to attend these meetings and take part in the discussions and acquire ideas that we can use and possibly impart ideas that others might make use of in their work.

This Association has long been interested in the effort to obtain a third judge for our Federal court in this district; and at the invitation of the chairman of the Judiciary Committee of the House of Representatives, your President went to Washington and testified before that committee in support of a bill to provide another federal judge for the Kansas district; and it is believed that the chances are good to accomplish that end during this session of Congress.

In making these trips and attending these meetings, the President spent approximately thirty days' time, and in addition about sixty hours of time were spent in the office in attending to Association matters. I would have gladly spent more time in the work if there had been a demand for it; because, as I have said, it was more pleasure than burden; and if the Association has benefited from it, I am glad that the opportunity came my way. I traveled about thirteen thousand miles, and I also like to travel.

When I assumed the office, I was somewhat reluctant to ask members of the Association to assist in the work, knowing how busy most lawyers are and realizing that Association work takes time and effort that must be taken from their practice; but I was astounded by the show of willingness to help when members were called upon. Every lawyer is willing to do his part, and I cannot begin to express my gratitude for the splendid attitude of every man appointed to membership on a committee or requested to do any job that would advance the work of the Association. The spirit of cooperation is wonderful.

A more concerted effort to obtain legislative action on bills found to have the support of a large majority of lawyers produced results much better than we have been able to get in former years, thus making some progress possible in that part of our public relations program pertaining to improvement of laws and procedure. The committee on public relations, the committee on improvement of laws and procedures and on prospective legislation deserve special praise.

I cannot close without an expression of extreme gratitude to our efficient Executive Secretary, John Shuart, for his untiring efforts in performing his duties and promoting the purposes and aims of the Association as established by the Executive Council and as expressed by the previous conventions; and also I want to express my appreciation to Franklin Corrick, the editor of our JOURNAL, for his able and conscientious efforts which has made it one of the finest publications of its kind. It goes without saying that we could have accomplished very little without the efforts and cooperation of the members of the various committees, who served so faithfully and well. And since the President is only a presiding officer, you all know that the decisions are made and the policies are established not by the President but by the members of the Executive Council, a group of men who are ready to give unstintingly of their time and efforts to keep the Association going forward and to make it an organization of which the members can be proud. Certainly I am proud to have served as its President. Thank you. (Applause.)

PRESIDENT DEPEW: Now, we will have the report of the Executive Secretary, Mr. Shuart.

REPORT OF EXECUTIVE SECRETARY

MR. SHUART: Thank you, President Depew.

The report of the Executive Secretary shall be brief, saving for the time of the committee reports, the detailed progress report of the Association for it is in the reports of the several standing and special committees that the extensive work of the Association is revealed. Within this existing Association framework of committees much is or can be accomplished. The many members of these committees giving their time, their professional knowledge and their interest, are to be commended. I have worked with these committees and their chairmen in varying degrees, and you will hear from them what has been accomplished.

The last year has seen the continued growth of the Association. In 1953 we had 1514 paid members; in 1954 we had 1574 and this year we are going into the convention with 1278 paid members and 60 of these are new members of the Association, and we should pass the 1600 mark for the first time. Increasing membership means increasing financial soundness of the Association and an assurance that the present services to member lawyers will be broadened. Title Standard books are issued to each new member and again this year a supplement will be given to each member of any amendments to our Title Standards which may be adopted at this meeting. An Index of the first 22 volumes of our JOURNAL was prepared last year by the Editor for the use of the members. New recommendations will be made to this assembly by a special committee regarding an additional service in the form of a Supreme Court Digest. Membership in the Bar Association of the State of Kansas is a tangible thing.

Our annual meeting was held in April last year and on April 13, 1954, I reported that the balance on hand in the Association's treasury was $23,221.07. That balance on May 15, 1955, was $23,202.52. Receipts during the past 13 months totaled $36,897.43 and expenditures totaled $36,915.98. The audit, as provided in the by-laws, was made on May 1 last year by the firm of Garrison and Gresser, certified public accountants of Topeka. A detailed financial report is attached hereto and becomes a part hereof and such was approved by the Executive Council at their meeting yesterday.

During the past year the Association was given an Award of Merit at the annual meeting of the American Bar Association in Chicago. Your Association competed with approximately half of the State Associations in the country and the award was heartening, not for the fact that it came to an Association which has most recently established an Association office, but for the fact that it gave assurance that the program upon which we have embarked and the steps taken had the approval of the old hands in Bar Association work.

A desk card which carried the words "Respect Your Fellow Lawyer" served as the basis for a brochure prepared by the ABA and sent to all of its members over the country.

Your Association has continued to see the value of and the need for attention to the traffic problem in Kansas and again this year sponsored a Traffic Court Conference at the University of Kansas for three days starting on April 26. We had the cooperation of several other agencies in the state in putting on this program and we shall be glad to have their help and the help of other interested groups when we again have a conference.

The Executive Council met during the past year in Hutchinson on May 29, in Wichita on October 7 at their annual mid-winter meeting, and in Dodge City on December 3 at the time of the Southwest Bar meeting there. In addition, the members of the Council have visited many local and regional Bar meetings as has your Executive Secretary. You have heard of the extensive visitations of the President. I have tried to attend each of the regional meetings over the state and have done so except when there was some conflict with some previously scheduled meeting. It is impossible for me to visit each of you in your office and to talk with you much as I would like to do, but I do have the opportunity to talk with you at the regional meetings and to learn of your opinions and your suggestions regarding the activities of the Association. These I am very interested in having.

It has been a pleasure working with President Depew and the other officers of the Association. They have been ever ready at any time to respond when Association matters needed their attention. I know that it frequently meant a real personal and financial sacrifice to do so.

Your Executive Secretary was actively engaged this spring in bringing to the attention of the legislators certain pieces of proposed new legislation and proposed changes in present statutes. He can honestly say that he is not in favor of annual sessions and feels that every two years is often enough. (Laughter.) Those of you who have spent much time lobbying or who have served in the House or Senate have, I believe, an appreciation of his position. It is a full-time occupation and certain established routine is neglected when the Legislature is in Topeka.

Here I would like to thank those many members of the Bar serving in the House and in the Senate for the patient consideration they gave the registered representative of the Association. Since all of the matters urged had to be presented to the Judiciary committees of each body, it was here that our proposals received favorable or unfavorable consideration. Every matter recommended for passage by a Judiciary committee received a favorable vote of their fellow legislators. This indicates to me the regard which fellow legislators have for the lawyer members of the two houses. We made a much better survey of the members' opinions regarding each measure this year but we need to get an even more concrete expression to convey to the legislator, and coupled with that we must see that communications from every local Bar over the state go to their member lawyers serving in Topeka.

I have received many communications from members during the year regarding various programs and items included in the Barletter. I sincerely appreciate these suggestions and comments. It is hard for anyone to exist in a vacuum. Please let me have your comment; and if there is anything we can do in Topeka for you, we will be glad to try, excluding, of course, making an appearance in the Supreme Court. (Laughter.)

In planning for this annual meeting, it has been a real pleasure to work with Wendell Holmes and the many Reno County lawyers on his committee. They have worked hard to provide a good meeting and it certainly looks good on paper. Saturday, if we're still able, we can sit down and assess the entire affair. And incidentally, I understand that Saturday is when the glamorous Hollywood starlets will start arriving. You had better stay around for the finish! Thank you. (Applause.)

ANNUAL FINANCIAL STATEMENT

April 13, 1954, to May 15, 1955

Balance on Hand, April 13, 1954			$ 23,221.07
RECEIPTS			
1953 Dues	$ 40.00		
1954 Dues	5,362.50		
1955 Dues	22,430.50	$ 27,833.00	
1954 Annual Meeting: Registration and tickets		4,832.35	
Fire Association of Philadelphia—Sec'y Salary		1,011.50	
Miscellaneous Income		692.32	
Interest Earned—Savings Accounts		397.51	
JOURNAL			
Advertising	$ 1,167.14		
Subscriptions and extra copies sold	963.61	2,130.75	36,897.43
			$ 60,118.50
DISBURSEMENTS			
1954 Annual Meeting Expenses		$ 4,371.81	
1955 Annual Meeting Expenses		206.99	
Capper Printing Co.—JOURNALS (May, Aug., Nov., Feb.)		6,565.22	
Executive Council Expenses		183.16	
Rent		975.00	
Telephone		323.52	
Salaries—After W.T. and F.I.C.A.		11,558.24	
District Director of Internal Revenue		1,439.57	
Public Relations Committee		2,270.49	
Travel Expenses—Executive Secretary		2,328.06	
Stationery—Postage—Supplies		2,755.24	
Duplicate Dues Payments—refunds		87.50	
Travel ABA and Bar Meetings (President and Delegate)		851.30	
Miscellaneous Expense		1,168.58	
Committee Expenses		464.95	
Association dues and memberships		110.00	
JOURNAL Index—Editor		600.00	
Traffic Court Conference—1954		250.00	
Merchants Natl. Bank—service charges		28.02	
JOURNAL Editor—travel		241.78	
Personal Property taxes		51.55	
Audit—Garrison & Gresser		85.00	$ 36,915.98
Balance on Hand, May 15, 1955			$ 23,202.52

Resources, May 15, 1955, consisting of:		
Capitol Federal—Savings Account	$ 5,306.83	
Topeka Savings—Savings Account	5,151.13	
Merchants National—Savings Account	5,182.76	
Merchants National—Special Account	2,500.00	
Merchants National—Checking Account	5,061.80	
		$ 23,202.52

PRESIDENT DEPEW: We shall now have a report of the Editor of the JOURNAL, Mr. Corrick.

REPORT OF EDITOR OF THE BAR JOURNAL

MR. FRANKLIN CORRICK: President Depew, Members of the Association, and our Distinguished Guests:

My report on the Bar Journal will only be a brief outline of some of its more important activities since April, 1954. While most of this report will be about our past, you may hear a little about the present and some about the immediate future.

On first thought, one of the things about the Bar Journal which may strike one as significant is the fact that its objects or purposes are scarcely mentioned in the Association's By-laws or Constitution. However, on second thought they need not be outlined in detail because they should be, and I am certain they are, the same objects—the Bar Journal's objects are the same as those of this Association which are set forth in our Constitution. The purposes and jurisdictions of the eleven standing committees are well outlined in the Constitution and By-laws of this Association.

As you all know, the reports of our standing committees and also the special committees are printed in the Bar Journal after each annual meeting in the August issue. We also try to print all of the sectional or legal institute discussions held during the annual meeting and also some from local Bar Association meetings. We also have individual contributions from the members and from the law students in Kansas who are associate members of this Association.

Now, we have collected a lot of information over the past twenty-two years—almost twenty-three now—and to make this information more readily accessible to the members, as Mr. Shuart just stated, your Editor-in-Chief prepared a cumulative Index to the first twenty-two volumes gotten out during the first twenty-two years of Bar Journal publication in this state. Reprints of this Index are available, as I may mention later. This Index is, I believe, the first of its kind ever published in the State of Kansas. It is a fulfillment of a promise made to you a year ago at Topeka. It is the result of several years of effort and intensive work on my part. It is a subject Index and cites the more important articles which appear within the 8,800 pages of the Bar Journal in the first twenty-two volumes.

Also published for the first time and in the May, 1954, issue is a complete list of the first eighty-eight issues of the Bar Journal showing which numbers are still available for purchase.

Perhaps of greater importance to you is the inauguration of a uniform system or plan

for indexing future volumes of the Journal. The first installment of this new annual Index also appeared in the May, 1954, Journal in the closing pages of that volume, being an Index to Volume 22. Of course, this was in addition to the complete cumulative Index of the first 22 volumes of our Bar Journal.

Another thing which may be of interest to you is the increasing number of requests for reprints of articles appearing in the Bar Journal.

I have here three reprints which were made during the last year. The *first* is the 32-page reprint of the Index to the first twenty-two volumes, which I have already mentioned and which you already have in the first part of your May, 1954, Journal. These reprints are for sale to Association members at One Dollar per copy. Orders for them are already beginning to come in.

The *second* reprint is a 16-page article from the February, 1955, issue on the subject of "Insurance Security for Loans," which is an historical development of court-made law on that subject.

The *third* reprint is also from the February, 1955, issue and is the 15-page article on traffic courts and was published to supply an in-state demand.

I should add that the one on small loan insurance was published to supply an out-of-state demand. Due to the lateness of the reprint request, the type on insurance article had been thrown down but they were willing to pay for setting it up again and also reproducing the cover of that issue.

Except for the Index, of course, none of these reprints cost the State Bar Association anything.

Now I am ready to report on the immediate present. The May JOURNAL will be a little late due to the date of this meeting. I am also reporting on the immediate future because it is hoped that some of these sectional discussions to be held during this meeting may be included in the current issue. Because, if they are not, they will have to wait probably until November because the August issue always has been the "Proceedings" issue—containing principally the proceedings of the annual meetings.

Now, I have briefly told you about the past year, a little of the present, some of the immediate future. The future, as the past, with all its imponderables will have its problems. Therefore, I should like to close by quoting from Peter Marshall—"The Man Called Peter." In a prayer before the United States Senate, he said: "Help us to be a part of the *answer* and not part of the *problem*." Thank you. (Applause.)

PRESIDENT DEPEW: Now, I would like to have the chairman of the Historical Committee make the report for that committee. Judge Beryl Johnson.

HISTORICAL COMMITTEE

HONORABLE BERYL JOHNSON: President Depew, Members of the Association, Distinguished Visitors, Guests, and Ladies:

The spirit and some of the hope of the Historical Committee of your Association expressed last year in the report to the annual meeting will not be here reiterated or amplified. Those thoughts and hopes of the committee are still current in the minds of the members. There were made last year in the report of the Historical Committee, three recommendations which are short and to which I would like to call your attention. They

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were approved by the annual meeting and as a result of that approval your committee attempted to carry them out.

The first recommendation was that the Association give all possible aid and encouragement to newspapers desiring to publish historical matter concerning the Kansas Bar. That recommendation, duly approved, has been well carried out through the Office of the Secretary of this Association and the Executive Secretary, the officers and the Executive Council.

The next recommendation was that Association members prepare historical articles for publication in the Bar Journal, when convenient. Regrettably, your committee has to report that that has not been done. You are the members of the Association. We have not heard from you.

The third recommendation is this: That the Executive Secretary, as a suggestion from the Historical Committee, send a questionnaire to each Association member so that he can furnish thereon data as to school attendance, partnerships, vocation departments, public offices held, honors received, and so forth, and that these questionnaires be filed in the State Headquarters Office to serve as a basis for the individual history of the Association. I am happy to be able to report to you that such a questionnaire was worked up and sent out by the Executive Secretary's Office and to date we have received about 900 returns from those questionnaires. That means that there are about 700 more members of the Association who could send in the questionnaires.

So much for the report of last year and the recommendations.

I have now a very pleasant opportunity and privilege to incorporate in the report of your Historical Committee a very unusual thing. Through the ingenuity and the instigation and enthusiasm of the officers of this Association and the Executive Council, they have decided that we should establish in this Association a custom of recognizing at the annual meetings those members of our Association—those lawyers who have been admitted to practice fifty years or more. To implement that plan, a certificate was formulated—drawn up—which I hold in my hand and which reads as follows below the emblem of the Association: "Fifty-year certificate upon recommendation of its Executive Council, the Bar Association of the State of Kansas hereby accords recognition to (blank) in honor of having completed fifty years of continuous service as an attorney and counselor at law," signed by the President of the Association.

To carry out that idea, the Executive Secretary searched records and has worked up for us a list which we will use this morning. A word of explanation, however, is necessary. When these names were obtained by a search of the Kansas Reports and the enrollment of lawyers in Kansas, questions were sent to those individuals and to others who might have information about members who have qualifications of that sort and a list prepared which we all know is not complete. There is some difference in dates, also. Some of the individuals gave us dates when they were admitted to practice, but the records of the Supreme Court show a little difference. That in many instances is due, I think, to the fact that in the early days of the practice of law in Kansas many lawyers were not admitted to the Supreme Court of the state until possibly two or three years after they had been practicing in other courts of the state. But for our purposes this morning, I will give you this list: Only the name, the location and city or town, the date given to us when they were admitted to practice, and let it suffice at that.

Fifty Year Certificate

Upon recommendation of its Executive Council,
The Bar Association of the State of Kansas
hereby accords recognition to

in honor of having completed 50 years of
continuous service as an Attorney
and Counsellor at Law.

_____ _____
President of the Association

Now, I may ask this: The list I read is not alphabetical. I know that not all of the individuals upon the list are present this morning; but those who are, as your names are called, we would very much appreciate having you stand in your place so that we can all see you; and, please, for the sake of shortening this ceremony, withhold your applause until after all of the names have been given and due recognition made by a final applause for all of them. Following that, may I suggest to those of you whose names will be read, will you please find your way to this corner over here for the purpose of having a group photograph taken.

LIST OF 50-YEAR AWARDS—(1955)

Name	*Town*	*Date Given*
Lee Bond	Leavenworth	1897
E. E. Glasscock	Hutchinson	1889*
Edward R. Sloan	Topeka	1905
W. A. Barron	Phillipsburg	1901
John McKenna	Kingman	1901
J. C. Ruppenthal	Russell	1895*
Carl M. Holmquist	Hays	1902*
Charles C. Calkin	Kingman	1902
Thomas J. Hanlon	Independence	1904
Robert H. Garvin	St. John	1898*
Mark Gillin	Parsons	1900†
Richard W. Evans	Dodge City	1904
Guy E. Pees	Iola	1905
W. H. Clark	Hill City	1899‡
Harvey A. Russell	Topeka	1894
J. O. Emerson	Kansas City	1898
W. H. Wagner	Wakeeney	1900
C. Vincent Jones	Clay Center	1904
Ralph E. Page	Ottawa	1903
James V. Humphrey	Junction City	1887
Charles A. Magaw	Topeka	1897
Carl Ackarman	Sedan	1905
Otis S. Allen	Topeka	1898*
Henry H. Asher	Lawrence	1905
Albert Faulconer	Winfield	1902
W. W. Harvey	Topeka	1900†
T. F. Railsback	Kansas City	1905
Wm. H. McCamish	Kansas City	1892
Robert Stone	Topeka	1894
Harry K. Allen	Topeka	1900
William D. Morrison	Olathe	1896
Walter W. Filkin	Olathe	1904
John L. Kirkpatrick	Olathe	1904
Wm. H. Vernon	Larned	1900
J. W. Holdren	Independence	1898
George H. Wark	Caney	1903
Wm. Keith	Wichita	1892
Chas. B. Hudson	Wichita	1905
J. E. Alexander	Wichita	1900
Tom Harley, Sr.	Wichita	1897
Benjamin F. Hegler	Wichita	1905
W. F. Lilleston	Wichita	1905
L. P. Brooks	Wichita	1900

*Present at the Award presentation. †As recorded. ‡Admitted in Kentucky, 1899; Kansas, 1909.

HONORABLE BERYL R. JOHNSON: May we add one further request, Mr. President? That is, that if any member of the Association knows of a lawyer thus qualified whose name has not been read this morning, he please get that information to the Executive Secretary so that individual may be included on some subsequent list.

May I ask then that those of you who are here whose names have been called gather in the far corner as I suggested.

Mr. President, this report is respectfully submitted by the members of the Historical Committee, who are B. M. Dunham of Chanute, Carl Ackarman of Sedan, Douglas E. Hudson of Fort Scott, Malcolm McNaughton of Leavenworth, J. C. Ruppenthal of Russell, W. F. Lilleston of Wichita, Alex Miller of Salina, Steve W. Church of Greensburg, William M. Ferguson, ex officio member of the committee, and your chairman, Beryl Johnson. Thank you. (Applause.)

PRESIDENT DEPEW: Before we proceed any further and get into any action that requires formal approval or disapproval, I would like to have a report of the committee on rules so that our procedure will be legal. Mr. Dallas Knapp will present that report.

CONVENTION RULES

MR. DALLAS KNAPP: Mr. President and Members of the Association: Your committee, for the Seventy-Third Annual Convention of the Bar Association of the State of Kansas, for the rules of this convention, reports as follows:

1. The order of business shall be the order set out in the printed program; provided, however, the President may make such changes as he may deem necessary or expedient.

2. All members desiring to speak on any question shall first arise and address the chairman, and shall not proceed further until recognized. Before beginning his remarks, he shall state clearly his name and residence.

3. No member shall speak more than once upon the same subject and then not to exceed five minutes, except by consent of the assembly.

4. All resolutions shall be in writing and shall be referred to the Resolutions Committee for recommendation and consideration.

5. Except as above provided, "Roberts Rules of Order" shall prevail.

Respectfully submitted, J. B. McKay, John O'Brien, and Dallas Knapp, Chairman.

Mr. President, I move the adoption of the report of the committee.

PRESIDENT DEPEW: Is there a second?

FROM THE FLOOR: I second the motion.

PRESIDENT DEPEW: You have heard the motion and second. Is there any discussion? If not, all those in favor of the motion say "aye". Opposed, "no". Carried and it is so ordered.

Now, we have with us today a guest that I want to introduce to you and I have asked him to make some remarks because I know you will be interested first, in knowing that he is here; and second, in the greeting that he may bring to you. He is the Dean of the University of Michigan Law School. Dean Stason, will you please come forward, please? (Applause.)

REMARKS OF DEAN STASON

DEAN E. BLYTHE STASON: Mr. President and Members of the Kansas Bar Association: This is a very great privilege to me. It is a great source of pleasure to be able to attend your meeting and it is an honor to be permitted to say a few words to you at this time.

When I looked at your program a few moments ago and saw the tremendous list of committee reports that lie ahead of you for this morning's consumption, I can well understand your President's injunction when he told me to be rather brief in my remarks.

I am here primarily because of the cordiality of the University of Michigan law alumni at the Kansas Bar. I received a perfectly extraordinary number of letters urging me to come for the Michigan luncheon this noon; and low and behold, here I am.

It has been sort of a nostalgic experience. This morning I visited a farm—a marvelous farm, as a matter of fact. I was born and brought up and practiced law in Sioux City, Iowa; and so in a way, I am getting back to home. For 31 years, though, I have been in the State of Michigan as a member of the faculty of the law school of that university; and for the last 16 years, I have been Dean of the law school. So, I have become an old settler in the State of Michigan.

I sympathize with one remark that was made by your Secretary in his report to you. He said "The Secretary cannot work in a vacuum." How true that is. I was Secretary of the Michigan State Bar Association for some six years and I found how wonderful it is to have the cooperation and how much like working in a vacuum it is to lack the cooperation of the members of the association; and from the reports that I see before you and the report of your President and Secretary, I know that in Kansas you have a marvelous league of active and capable and cooperative Association.

For the last six years, I have been a member of the Board of Governors of the Intergrated State Bar of Michigan. In Michigan we have one of the few integrated Bars east of the Mississippi River. There are about 8,000 lawyers in the state and they are all perforce members of the Integrated State Bar.

One of the prize remarks of the head of the American Federation of Labor organization in the State of Michigan is his wise crack to the effect that the lawyers in Michigan have the tightest labor union of all. In any event, we have an organization of some 8,000 members which is governed by a Board of Governors consisting of 19 persons; 17 elected from the respective congressional districts of the state, elected by the members of the Bar; and two appointed by the Supreme Court serving at large. For the past six years, I have had the honor of serving as one of the members at large. I know that the Board of Governors of the State Bar of Michigan would want me to convey to you our greetings and our best wishes for a successful continuance of your marvelous program.

I shall certainly not encroach long upon your time, but since I am to make remarks, according to the statement in the program, I should like to tell you an experience that I have had during this past week. We had visiting us in Ann Arbor a Japanese judge—a judge of the high court in Tokyo—by the name of Jiro Matsuda—Judge Matsuda. He had been sent to this country or he had been called to this country by the State Department—the United States State Department—and he had come to the country for the purpose of making a survey of legal education in the United States. He himself was on

leave of absence from the high court of Tokyo because he has recently been appointed by the Supreme Court of Japan to serve as the Director of what is known as a Juridical Institute in Japan. That Juridical Institute has charge of the post-graduate training of all those young men and women who propose to practice law in Japan. Graduation from a law school is not sufficient. Even a Bar examination is not sufficient. It is required under their system that the intending lawyer participate in an apprentice program for a period of two years following his graduation. It is in this program that they become a part of the Juridical Institute and Judge Matsuda is the head of that Juridical Institute. In other words, as he says, he is the Dean of a rather large law school in Japan and he finds it desirable to carry on some studies in the United States in order to inform himself about our method of procedure.

Judge Matsuda spent three days in Ann Arbor with us. He is a charming, gracious, and cultivated gentleman and we became very, very fond of him. He had visited Harvard, Columbia, and Michigan and he was on his way to Chicago, Tulane, and California before returning to his own country.

He was particularly interested in Michigan for two reasons. In the first place, Michigan has been active in building up a program of training of foreign graduate students in law. For the past fifteen years, we have maintained a program which has brought to us each year from ten to twenty-five young men from other lands carefully selected for the purpose of pursuing advanced training in our law quadrangle; learning something about our legal institutions to carry back to their own country and teaching us something of their legal institutions to enrich our lives and our intellectual processes. We have had this program going on for fifteen years and in recent years we have been receiving very substantial foundation support for it. The Ford Foundation, which, as you know, is equally interested in promoting wisely international relationship, has given us a very substantial sum of money to carry on this program so that we are enabled to afford these young men who come to us, not only transportation, tuition, but also maintenance during their period of stay in this country.

Judge Matsuda was particularly interested in us on this account: He was also interested in us for another curious reason. At Michigan for the last three years, we have been engaging in a program of intensive research and the preparation of monographic studies on the unique legal problems of atomic energy for peace-time purposes. We are just about ready to publish two volumes on this subject. We have already published certain smaller reports and documents, but we are just about ready to publish two substantial volumes.

Judge Matsuda had heard about this and he was interested in learning all that he could about it. He said to me: "We learned about atomic energy the hard way. We now wish to learn all that we can about the peacetime possibilities of which we hear a great deal." He wished to be brought in behind the scenes on just as much as he could learn about peace-time legal problems that are surely going to arise in connection with this new and rather dynamic and startling development.

Well, Judge Matsuda spent, as I say, three days with us. When I left him yesterday at the airport, I was confident that he and I were friends. I felt very happy because of it. He is a competent, able, far-seeing, gracious, and cultivated gentleman whom I am very proud to count among my friends; but this is the message that I want to bring to you:

Like all Asiatics, he was reserved until he was sure of his ground; but just at the end, during the last hour that we were together, he loosened up. He said: "You cannot appreciate how valuable your contribution"—speaking of Michigan's program—"how valuable your contribution is to us and, if it is so to us, it must be to other countries in the world. Our colleges—not our law schools—but our collegest are full of Marxist teachings. We are trying to keep that out of the law schools of Japan. It is not an easy problem. It is a difficult struggle. These young men that you are training at Michigan and you are sending back to our country come back to us with a sound understanding of the valuable principles of democratic government. There is no way of co-existing with the Marxists. We must learn to handle them. Your contribution in this regard is most valuable." He also said, "What a shame it is that the Western World has lost China. It must not lose Japan or Indo-China or the Malay Peninsula or Burma or other areas in the Continent of Asia. What you are doing is helping in this way. I only wish there could be so much more of it." And then he said with respect to the peaceful uses of atomic energy: "In Japan, we did learn a bitter lesson. Nothing greater could happen to promote the welfare of our peoples and the understandings between our people and your people, and for you to help us develop the peaceful uses of this new dynamic source of energy so that we may from you see the other side of the coin." I felt that I had learned a lesson from Judge Matsuda, a lesson which made me realize for us lawyers that our horizons cannot be limited to our own shores. We must look beyond. In our law schools we must, of course, continue to train men in the sound fundamentals with which to practice our profession in our own country, but we must at the same time look beyond the confines of this country to the horizons that lie in the rest of the free world.

I felt this, also, as a result of my conversations with Dr. Matsuda: That one of the ways to a peaceful world is the development of mutual understanding between nations such as those that result from visits like that of Dr. Matsuda; from interchange like that of students coming to this country to study in our midst; from interchanges that result from our people going abroad to carry messages of democracy. For these things, we are grateful to be a part.

Well, now, Mr. President, this is more than just a few remarks. I appreciate it. I have no more—I shall not take your time and the time of this wonderful convention any longer, but may I say again what I said at the outset: That it is a great privilege to be among you. Your cordiality has been most heart warming and I thank you ever so much for this opportunity. (Applause.)

PRESIDENT DEPEW: Thank you, Dean Stason. The Dean's remarks about Judge Matsuda reminds me that we have a special guest here with us this morning that I was especially glad to meet because he comes from a country that I visited in my younger days and where I started studying some law. Forty-four years ago I went out to the Phillipine Island and I worked for a solicitor of the Customs Service who was a lecturer in the law school and I attended some classes there, and we have one of the judges of the courts of first instance of the Phillipine Islands this morning and I would just like to have him stand up so that you can see Judge Makasiar. Will you stand up, Judge, please? (Applause.)

PRESIDENT DEPEW: I also understand that my friend Charlie Duffy, President of the Oklahoma Bar Association has come in. I would like to have him stand up so that you can see what an Oklahoma Bar Association President looks like. (Applause.)

We are glad to have both of you.

PRESIDENT DEPEW: We had a matter submitted to the Executive Council and I appointed a special committee to investigate it and make some recommendations. That is a committee to determine whether it is feasible and practical and desirable to inaugurate some sort of "Supreme Court Digest" service through which lawyers interested in particular decisions can find out what they are about and what the rulings are and possibly make use of them before the advance sheets come out, and if Mr. Van Slyck is in the room I would like to have him come forward and make that report.

PROPOSED SUPREME COURT DIGEST SERVICE

MR. WILLARD N. VAN SLYCK, JR.:

President Depew, Members of the Association and Guests:

Your Special Committee, appointed in February, 1955, to investigate and report upon the possibility of inaugurating some type of service by which Kansas attorneys and judges could be furnished digests of the opinions of the Supreme Court of Kansas each month prior to general distribution of the advance sheets, has met, has made certain investigations, and desires to submit its report as follows:

At the first meeting of the Committee, it was suggested that there were three possible types of activity in the general area suggested to be explored by your Committee:

1. A "calendar service" for general distribution among the Bar listing the cases to be argued at the next session of oral arguments before the Supreme Court of Kansas, and showing the substantial questions involved in each appeal.

2. A "digest service" covering appeals recently decided for general distribution among the bar promptly after the opinions are filed each month.

3. Making available to lawyers and judges, on request, copies of recently-filed opinions for immediate use prior to the distribution of the printed advance sheet containing the opinions.

After some discussion, your Committee concluded that, at this time, there probably would not be sufficient interest in the "calendar service" mentioned in paragraph 1 above to warrant further investigation or recommendation at this time. It was noted, however, that the Wisconsin Bar Association issues ten times each year for an annual charge of $2.00 a "Supreme Court Calendar Service" document of two pages, similar in size and make-up to the Barletter of this Association, in which the titles and brief statements of the questions involved in appeals to be argued at forthcoming sessions of oral arguments before the Supreme Court of Wisconsin are contained.

Turning to the matter of the preparation of a monthly digest of recently decided Supreme Court opinions, the first problem presented was that of who would prepare such a digest. Since it was felt that such an activity, if undertaken, would be one sponsored by the Bar Association of the State of Kansas as a further service to the members of the bench and bar, the matter was approached without any idea of placing any further load on the office of the Reporter of the Court unless such assistance were volunteered. The Committee feels that it should not be too difficult to obtain the service of a member of the bar at Topeka who could review and digest copies of recently filed opinions within

a few days after each decision day. Provision should be made for some remuneration to the person or persons performing this function.

The most crucial mechanical problem presented in connection with the interrelated proposals, numbers 2 and 3 above, is the obtaining by the office of the Executive Secretary of the Association of copies of each of the opinions of the Court, for purposes of preparing such digests and making a copy of each of the opinions from which additional copies could be prepared upon request. Inquiry was accordingly made of the Court through the Chief Justice as to whether it would be possible for an additional carbon copy of each opinion to be prepared and furnished to the office of the Executive Secretary. After considering the matter, the Court advised your Committee that it did not feel that such an additional carbon copy could be prepared and furnished, in view of the rather large number of copies of each opinion which are required to be made for other purposes. However, it was indicated that the mandate copy of the opinion, which is retained by the Clerk pending the issuance of the mandate to the trial court, might be issued to the office of the Executive Secretary temporarily in order that a mechanically reproduced copy of the opinion could be prepared from it. It would be necessary that considerable care be exercised to assure that the mandate copy was not mutilated or lost and was returned to the Clerk's office promptly.

Investigation reveals that a Verifax machine designed for copying matter on legal size sheets is obtainable for approximately $400.00. Additional expense would, of course, be involved in supplying such a machine with matrix paper (at $11.00 per 100 sheets), paper on which copies of the opinions could be made (at $4.00 per 500 sheets), and the necessary fluid.

Such a machine installed in the office of the Executive Secretary of the Association could be utilized to make one mechanically reproduced copy of each opinion of the Court from the mandate copies borrowed from the Clerk. The matrix copies of each page could be retained for purposes of preparing copies of the opinion requested by attorneys and judges over the state for immediate inspection. The person or persons preparing the digests of the opinions could, presumably, use the mandate copies obtained from the Clerk or a mechanically reproduced copy prepared by the use of the machine.

Your Committee believes that the "digest service" could be prepared and circulated in a form very similar to that of the Barletter of the Association. The cost of preparing such document in the necessary quantity for distribution to all members of the bar (including postage) would approximate $85 to $90 per issue, exclusive of the compensation paid to the person or persons preparing the digests of the opinions.

We understand that it is now possible for copies of the Supreme Court opinions to be obtained upon request made to the office of the Clerk at a fee of 25 cents per page, which fee is paid into the State General Fund. Your committee's thought is that, were the Bar Association to undertake the task of supplying copies of opinions prior to distribution of the advance sheets, a similar charge should be made to help defray the expenses involved in acquiring the machine and supplies necessary for mechanically reproducing the opinions of the Court and in preparing and circulating the monthly digests of recent opinions.

The question as to whether the "digest service" should be furnished free of charge or upon the payment of a subscription fee was suggested but not determined.

Your Committee recommends that the "digest service" and the service of furnishing copies of opinions on request be instituted on an experimental basis for a one-year period *provided* the Executive Council feels that the Association can commit itself to an outlay which, on an annual basis, would appear to approximate $1,500 in the first year, and $1,000 thereafter, before giving effect to any revenue obtained from fees charged for furnishing copies of opinions and from any subscription fees which may be determined to be charged for the "digest service." We recommend that a vote of the membership be taken, at this meeting or otherwise, to determine whether there would be sufficient interest in this program to warrant undertaking it on an experimental basis.

Your Committee further recommends that, if there appears to be a sufficient interest among the membership in this type of program, the Executive Council consider and determine whether the costs of the program should be defrayed, in part at least, by a subscription fee to be paid by those interested in receiving the "digest service."

Your Committee wishes to express its appreciation to the Executive Secretary for his active cooperation and assistance to it in this matter. He has indicated that his office is anxious to be of every possible assistance in carrying out this type of program which should prove of considerable service to the bench and bar of Kansas.

Respectfully submitted, Phil Lewis, Phillip Buzick, and myself as Chairman.

PRESIDENT DEPEW: Thank you, Mr. Van Slyck. You will notice that this is sort of the initiatory stage in this idea and the Executive Council has not yet given any particular consideration to it, but I am sure you will understand that this committee has done some work and has done the Council a great favor in making the investigation and reporting such facts as they have ascertained and recommending that the membership of the Association be given a chance to express themselves and that the Council then determine whether or not it is practical and feasible if there is a demand for it.

Now, is there anyone here who has anything to say in regard to whether or not the lawyers could use such a service and whether it would be worth what it would apparently cost and whether the members would be inclined to possibly furnish enough revenue to meet that cost or a portion of it. I would be glad to hear from him.

MR. GEORGE POWERS: Mr. Chairman, would you ask Mr. Van Slyck whether any of the states have a monthly fee and, if so, how much it is?

PRESIDENT DEPEW: Could you answer that?

MR. VAN SLYCK: I couldn't answer that question directly. I know that certain states, including Missouri, do have such a service. In Missouri there is a portion of what I believe to be a monthly or a periodic issue of a magazine called "The Missouri Bar" which, I believe, includes things other than the digest of the opinions of the Court. As to whether other states have that or what they have or at what charges they furnish it, I could not say.

MR. DOUGLAS G. HUDSON: I believe that we would be interested in it and would be willing to pay for it. I believe most of the members of the Association would be.

I would like to suggest that when the Executive Council is acting upon this, for myself, I would like to have the service limited to members of the Association and not made available generally to the other non-participating attorneys. I would like to be selfish about it.

PRESIDENT DEPEW: Well, occasionally situations arise when we furnish our members with services and so forth at cost or less than cost while if we furnish it outside we expect to charge more for it; and if the service was furnished—any service of this kind —to both members and non-members, I think there should be some difference in what is paid for it, at least.

Well, there is no further action required on that at this time but you will be hearing more about it and I would appreciate it if any of you have any ideas along this line communicate them to the office of Mr. Shuart so that he can present them to the Executive Council because it may be something that the Bar Association can do for its members that it is not now doing.

The Secretary just suggested that we have a show of hands here just from what you have heard now whether you think it would be a feasible and desirable thing to do. Let me see what you think about the affirmative. Down, please. Those who think it might be a failure or a waste of money. Well, I believe the affirmative vote would have it here but it will be investigated thoroughly.

FROM THE FLOOR: Mr. President, wouldn't the non-voting have the majority? (Laughter.)

PRESIDENT DEPEW: Well, it is a rather indefinite thing to vote on but we are glad that it is another project that may receive consideration and which might be useful.

We will now have the chairman of the Citizenship Committee to make a report of that committee. Mr. Everett Steerman.

MR. EVERETT E. STEERMAN: Mr. President, there is a written report. There is no recommendation to be acted upon and I would move the filing of that report.

PRESIDENT DEPEW: Is there a second to that motion?

FROM THE FLOOR: Second the motion.

PRESIDENT DEPEW: It has been moved and seconded that this report, which contains no recommendations for action, be filed.

All those in favor say "aye". Opposed, "no". It is carried and it is so ordered.

CITIZENSHIP

Your Committee on Citizenship desires to make the following report:

Your Committee has continued with its program to make available to the school officials, both in elementary and high schools, assistance in the presentation of a program on citizenship, either on Citizenship Day which comes early in the school year, or at some other suitable time. All school officials have shown a keen interest in what the organized bar is attempting to do to bring to the attention of the students their duties and responsibilities when they have attained a legal age and have the right to exercise same as citizens. In some parts of the state these programs were conducted as programs at school assemblies, and others were held in cooperation with other patriotic organizations, but considerable progress has been made to bring to the attention of students their heritage as citizens of this country.

There is no end to the work that might be done, and this Committee should put forth every effort in the future to emphasize citizenship.

Your Chairman met with members of the Committee at the Mid-Year Bar Meeting of your Association which was held in Hutchinson in October, at which time many matters pertaining to the work of this Committee were discussed.

The program suggested in former reports of this Committee relative to the local bar associations sponsoring a program of recognition for young men and women attaining the age of their majority and right to vote should be enlarged upon and carried out, because this is the time in life of the young citizen when he should be made to recognize this grave duty and responsibility. Similar programs should be outlined for State and Federal Courts when there are proceedings had in granting citizenship to those who have moved into this country. There have been an increased number of such programs sponsored during the past year, and I am sure that more will be done along this line in the coming year.

It is true that such a program will require the time and efforts of the members of the legal profession, but the Committee knows of no better piece of public relations that we as lawyers and members of this Association could do than to assist those who are new citizens in securing proper information as to their duties and responsibilities as citizens.

The National Conference on Citizenship held every year is a source of information as to what is being done elsewhere, and no doubt, it would be a great help to this Committee in the future if some member of the Committee could attend the National Conference and become active and take a part in the program of that Association.

This is a worthwhile and outstanding endeavor on the part of the legal profession, and this Association, through this Committee, should proceed to give every assistance to the schools, the Courts and any other organizations that assist in bringing to the attention of the people, and particularly the new citizen, what is necessary to be a good citizen.

Respectfully submitted,

LEON N. ROULIER	MAX WYMAN
WILLIAM ROY KIRBY	WILLIAM WAGNER, *Jr.*
E. KEITH BEARD	ARTHUR J. MELLOTT
ROBERT STONE JOHNSON	ROBERT M. BOND
GEORGE R. LEHMBERG	GEORGE B. POWERS, *Ex-Officio*
FERD E. EVANS, JR.	EVERETT E. STEERMAN, *Chairman.*

PRESIDENT DEPEW: The report of the committee on Illegal Practice of Law. Is Mr. Hughes in the room? Mr. Hughes, the chairman.

MR. C. W. HUGHES: Mr. President, Members of the Bar, Distinguished Guests, and Friends: Your committee on Illegal Practice makes the following report:

ILLEGAL PRACTICE OF THE LAW

REPORTED VIOLATIONS

There have been four alleged instances of illegal practice reported to this committee in the past year. These cases consisted of a report of further activities by a person convicted of contempt as a result of the activities of this committee two or three years ago, a complaint as to the activities of two companies representing debtors, complaint as to the contract-drawing of a Kansas realtor by a Colorado attorney, and a complaint as to the

advertising of legal services by an individual best described as a jack-of-all trades with principal business that of notary public.

ACTION TAKEN

It was unanimously voted at the annual meeting of your committee to investigate the further activities of the individual previously found guilty of contempt and to instigate proceedings against him if circumstances warranted. After contacting the lawyers in that vicinity it was decided that since only one act had been alleged that no further steps should be taken in this matter. The committee voted that no action be taken concerning the companies representing debtors pending further development. The Colorado complainant was contacted, but did not furnish additional information concerning his complaint against a Kansas realtor, though this file is still open. The activities of the jack-of-all trades seems to be confined to one small community and thus far your committee has been unable to find any local attorneys who wish to co-operate in a proceeding to enjoin legal activities on his part.

OTHER DEVELOPMENTS

Your committee has been contacted from time to time throughout the year, by the American Bar and other legal groups, mostly for the purpose of affording us information concerning their activities in the field of illegal practice. Your attention is directed to an increased advertising in Club and similar magazines of will kits and similar materials for "Do It Yourself" law practice. Since all such kits or portfolios of this type must be highly general in nature, they constitute a danger to the purchaser as well as a possible illegal practice of law, by the sellers. The American Bar Association also furnished a substantial amount of information, most of it relayed to this association's members, concerning certain changes in the rights of public accountants, with respect to tax practice.

RECOMMENDATIONS

It is recommended that members of this association continue to be on the alert for illegal practice activity and that reports of such activities be made to this committee for investigation and action if necessary. We believe that this committee should take court action only when there is a clear cut violation and when a friendly warning secures no results.

Respectfully submitted,

ARTHUR HERSHBERGER
CLAYTON DAVIS
LEROY W. RAYNOLDS
L. PERRY BISHOP
DON POSTLETHWAITE
JAY W. SCOVEL, *Ex-officio*
C. W. HUGHES, *Chairman.*

MR. C. W. HUGHES: Mr. President, I move to adopt this report.

PRESIDENT DEPEW: Is there a second?

FROM THE FLOOR: I second the motion.

PRESIDENT DEPEW: It has been moved and seconded that this report of the committee on Illegal Practices be adopted. Is there any discussion? If not, those in favor say "aye". Opposed, "no". It is carried and so ordered.

On the program, our next committee listed is the committee on Improvement of Laws and Procedures of which Judge William C. Kandt is the chairman. His letter to the Secretary: "Our committee report has been made and submitted; and since it was published in the January 4 issue of the Barletter, I see no reason to report it on the convention floor. There has been no committee activity since; and, therefore, we have nothing further to report.

"It may be that someone, perhaps the committee on Prospective Legislation, will want to report the outcome of our recommendations in the legislature.

"I suggest that our report as submitted, a copy of which is enclosed, be simply published along with the convention proceedings."

And he does submit the report here which has been digested in the Barletter; and as you all know, this committee surveyed the membership to ascertain what bills would have the support of the majority of the members of the Bar and which ones the majority thought should be submitted to the legislature and the poll showed several bills that did seem to be favored by a large majority of those members of the Association who were questioned on it and we had pretty good luck in getting them through. The Prospective Legislation Committee will undoubtedly report on the results of this work, but I want to thank Judge Kandt and his committee on a good job in making the survey and making the recommendations and in assisting the Prospective Legislation Committee and the Secretary in getting them through the legislature.

If someone will move that this report be filed as requested—

FROM THE FLOOR: I so move.

PRESIDENT DEPEW: Is there a second?

FROM THE FLOOR: I second the motion.

PRESIDENT DEPEW: It has been moved and seconded that the report be placed on file. If there is no discussion, all those in favor say "aye". Opposed, "no". Carried and it is so ordered.

IMPROVEMENT OF LAWS AND PROCEDURE

MR. PRESIDENT: Your Committee met at the Mid-Year Meeting of the Association on October 8, in Wichita, and again on December 18, in Topeka. From the 21 separate proposals for improvement of law submitted to the Committee by members of the Bench and Bar, the Committee approves and recommends the following:

1. That the bastardy statutes, GSK 62-2313, be amended to permit the granting of a parole when defendant is unable to provide security for judgment, as follows [EDITOR'S NOTE: Enacted by 1955 Legislature (L. 1955, Ch. 283)]:

> 62-2313. Judgment; payments for maintenance and education of child; security. Such court shall, on such finding or confession, render such judgment and make such order as may seem just for securing the maintenance and education to such child, by the annual payment to the mother, or if she be dead or an improper person to receive the same, to such other person as the court may direct, and of such sum or sums of money as the court may order, payable at such time or times as may be adjudged proper. The judgment shall specify the terms of payment, and shall require of such defendant, if he be in custody, to secure the payment of such judgment by good and sufficient sureties; or, in default thereof, he shall be committed to jail until such security is given; *provided, however, if it shall appear to the court that defendant is unable to provide such security the court may parole said defendant from such commitment to jail upon such terms as will enable defendant to comply with the judgment rendered and as the court may find necessary and proper.*

2. That the divorce statute, GSK 60-1511, be amended to permit alimony installments to be made contingent or terminated upon the death of either of the parties or the remarriage of the wife, and to be reduced according to the husband's ability to pay, as follows:

60-1511. Restoration of maiden name and property of wife; permanent alimony; division of property. When a divorce shall be granted by reason of the fault or aggression of the husband, the wife shall be restored to her maiden or former name if she so desires, and also to all the property, lands, tenements, hereditaments owned by her before her marriage or acquired by her in her own right after such marriage, and not previously disposed of, and shall be allowed such alimony as the court shall think reasonable, having due regard to the property which came to him by marriage and the value of his real and personal estate at the time of said divorce; which alimony may be allowed to her in real or personal property, or both, or by decreeing to her such sum of money, payable either in gross or in installments, as the court may deem just and equitable, *and which installments may by the Court be made contingent or be reduced or terminated upon the death of either of the parties, or the remarriage of the wife or the husband's ability to pay.*

3. That GSK 62-1401 be amended to permit trials to the court in felonies as well as misdemeanors, by striking the words "except in cases of felonies," as follows [EDITOR'S NOTE: Enacted by 1955 Legislature (L. 1955, Ch. 281)]:

62-1401. Trial by court or jury. The defendant and prosecuting attorney, with the assent of the court, may submit the trial to the court. All other trials shall be by jury, to be selected, summoned and returned as prescribed by law.

4. That the Legislature require the printing or typing of names under signatures on recordable documents, as follows [EDITOR'S NOTE: A different version was enacted by 1955 Legislature (see L. 1955, Ch. 214)]:

AN ACT providing for the printing or typing of names under signatures affixed to instruments filed for record in the offices of registers of deeds.

Be it enacted by the Legislature of the State of Kansas:

Section 1. The register of deeds in each county of this state shall, as a condition precedent to filing for record any instrument bearing a date subsequent to the date this act becomes effective, require the name of the signer or signers of the instrument to be plainly printed or typed under the signature affixed to said instrument. Provided, that the failure of any such instrument to bear the printed or typed name of the signer thereof, shall not affect the validity of such instrument or the filing or recordation thereof.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

5. That the Legislature provide for the selection and tenure of judges in a manner similar to the Missouri or American Bar Association plan and as recommended previously by your Association and your Committee on the Selection and Tenure of Judges.

6. That your Association endeavor to obtain the passage of a bill vesting in the Supreme Court authority to promulgate, with the aid of a Commission to be appointed by the Court, a revised code of civil procedure for Kansas, similar to H. B. 306 previously submitted to the Legislature and approved by your Association. H. B. 306, as approved by your Committee would authorize the Supreme Court to appoint a commission of five to study, revise and rewrite Chapters 60 and 61 of the General Statutes, and prepare rules of practice and procedure. The commission would submit its preliminary report to the Supreme Court at the end of two years, and its final report at the end of four years, and the Supreme Court would then submit its recommendation to the 1959 Legislature for enactment into law at that session. Thereafter, amendments to the new code would be prescribed by the Supreme Court and reported to the Legislature, and would become law unless such Legislature should take adverse action thereon. The bill would also provide funds for staff assistance and general operations of the commission.

[EDITOR'S NOTE: The 1955 version of 1953 H.B. 306 appeared as H.B. 383, the text of which appears in this issue on page 65.]

7. That Supreme Court Rule No. 48 for the District Courts, as contained in GSK 60-3827, be amended to require the moving party to give notice of his intention to apply for default judgment in all cases where service has been had by residence service only, as well as those cases in which adverse counsel has appeared of record, as follows:

> No. 48. No judgment by default shall be rendered in any case against a party who has appeared of record, *or against a party served by residence service only,* except upon three day's notice in writing mailed or served on such party or his counsel, stating the date, the time when and the judge to whom application will be made for judgment; and upon filing proof of service of such notice or mailing of such notice to such party at his last known address.

8. That the wrongful death statute, GSK 60-3203, be amended to allow not more than $10,000.00 damages for loss of life (which would include mental anguish, etc.) and in addition to allow not more than $25,000.00 damages for pecuniary loss (which would include loss of support, etc.). [EDITOR'S NOTE: The 1955 Legislature enacted L. 1955, Ch. 277.]

9. That common law marriage be abolished by statute.

10. That Section 3 of Article 12 of the State Constitution which reads:

> "The title to all property of religious corporations shall vest in trustees, whose election shall be by the members of such corporation."

be amended to read substantially as follows:

> "The Legislature of the State of Kansas shall have power and authority to provide the manner in which religious corporations can hold, place liens upon, or convey title to real estate."

11. That GSK 21-2001 be amended by srtiking therefrom those words making a person guilty of a felony who shall run away or escape from either the State Industrial School for Boys or the State Industrial School for Girls.

12. That GSK 67-2160 be amended to permit commissioned officers of the armed forces to acknowledge signatures and perform other notarial acts pertaining to *spouses* of members of the armed forces, as well as members themselves. [EDITOR'S NOTE: The 1955 Legislature enacted an amendment to G.S. 67-216c (see L. 1955, Ch. 299).]

13. That Senate Bill No. 226 be resubmitted to the Legislature to authorize either party to a civil action to take depositions of any witnesses or parties at any time, and upon proper notice, notwithstanding any existing law to the contrary.

The Committee further recommends the above recommendations be referred to your Committee on Prospective Legislation for legislative action.

Respectfully submitted,

PAUL H. HEINZ
LEWIS L. MCLAUGHLIN
RICHARD L. BECKER
DONALD E. MARTIN
THOMAS M. LILLARD
LARUE ROYCE
JAMES E. TAYLOR
WILLARD L. PHILLIPS
D. C. MARTINDELL
LEONARD O. THOMAS
W. F. LILLESTON
ROY U. JORDAN
JAMES PUTNAM
SAM W. G. LOWE
F. C. BANNON, *Ex-officio*
CLARK A. WALLACE, *Advisory Member*
WM. C. KANDT, *Chairman.*

PRESIDENT DEPEW: We now have the report of the Junior Bar Section.

Is Mr. Hackler in the room?

MR. EUGENE HACKLER: Mr. President, our report has been filed with the Secretary and I move that it not be read at this time and be filed.

PRESIDENT DEPEW: Is there a second?

FROM THE FLOOR: I second the motion.

PRESIDENT DEPEW: It has been moved and seconded that the report of the Junior Bar Section as submitted to the Secretary, which requires no action apparently, be filed. All those in favor say "aye". Opposed, "no". It is carried and so ordered.

JUNIOR BAR SECTION

Officers of the Junior Bar Conference of the American Bar Association and the Junior Bar Section for the State Bar Association were elected at the Bar Convention held in Topeka, in May, 1954.

Charles W. McDermott, Wichita, Kansas, Chairman;

Eugene T. Hackler, Olathe, Kansas, Vice Chairman;

Gwinn Shell, Garnett, Kansas, Secretary;

Stanley L. Linn, Kansas City, Kansas, Treasurer.

In addition to the above, Claude I. Depew, President of the Bar Association of the State of Kansas, appointed the following attorneys to serve on the committees of the Junior Bar Section:

G. D. McSpadden, Winfield, Kansas;

John Atherton, Hutchinson, Kansas;

Jack Stewart, Hutchinson, Kansas;

Albert M. Ross, Kansas City, Kansas;

William M. Ferguson, Ex-Officio, Wellington, Kansas.

The Chairman, Charles W. McDermott, attended the American Bar Association Convention in Chicago, Illinois, as representative of the Junior Bar Section of the Bar Association of the State of Kansas.

During the year 1954-1955, the following Kansas attorneys were appointed and are serving on JBC of ABA committees as follows:

Glenn D. Cogswell, National Bank of Topeka Building, Topeka, Kansas, Lawyer Placement Committee;

Jack Greene, 305 Beacon Building, Wichita, Kansas, Lawyer Reference Committee;

Payne H. Ratner, Jr., 444 North Market Street, Wichita, Kansas, Legal Institutes Committee, Chairman;

Robert A. Anderson, Zellner Building, Ottawa, Kansas, Legal Institutes Committee;

Leonard W. Pipkin, Jr., Columbian Building, Topeka, Kansas, Military Service Committee;

William B. McElhenny, National Bank of Topeka Building, Topeka, Kansas, Legal Aid Committee;

Tom B. Lillard, Jr., Planters State Bank Building, Salina, Kansas, Procedural Reform Committee;

Walter L. McVey, Jr., 612 Citizens National Bank Bulding, Independence, Kansas, Minor Courts Committee;

Thomas E. Gleason, Bennett Building, Ottawa, Kansas, Traffic Courts Committee;

Eugene T. Hackler, Patrons Building, Olathe, Kansas, Practice Development Committee.

In January, 1955, Charles W. McDermott resigned as Chairman of the Junior Bar Section for the reason that he was moving to Colorado. The Honorable Claude I. Depew appointed Eugene T. Hackler, Olathe, Kansas, Chairman of the Junior Bar Section.

During the past year, Payne H. Ratner, Jr., Wichita, Kansas, has been the Chairman of the Legal Institutes Committee of the JBC of ABA and has performed that duty in a manner that should please all Kansas attorneys.

Leonard W. Pipkin, Jr., Columbian Building, Topeka, Kansas, has been active on his committee and has made available the services of the Military Service Committee to lawyers and law students in military service.

The Junior Bar Conference Committee met at its annual mid-year meeting on September 23, 1954, in the Allis Hotel in Wichita, Kansas.

The committee formulated plans at this meeting for the integration of young lawyers in more of the Bar Association's activities. The numerous young lawyers elected to their local bar association offices point up the results of that activity.

The Junior Bar Conference of the American Bar Association has recently made available to officers in the Junior Bar Conference directional material for more active participation of young lawyers in association affairs. It is hoped that an even more active Junior Bar Section will result from this information's being utilized in our State Junior Bar Program.

EUGENE T. HACKLER, *Chairman.*

The committee on Legal Aid headed by Mr. Steerman.

MR. EVERETT E. STEERMAN: Mr. President and Members of the Association: Your committee on Legal Aid desires to make this report.

LEGAL AID

Your Committee on Legal Aid desires to report as follows:

Your Chairman was afforded an opportunity to appear before the Southwest Kansas Bar Association meeting held in Hutchinson in September to give a paper on the work of this Committee; and also, your Chairman met with members of the Committee at the Mid-Year Bar Meeting of this Association which was held in Hutchinson in October, at which time many matters pertaining to the work of this Committee were discussed.

In the report of this Committee at the Annual Bar Meeting in 1954 it was pointed out that legal aid and lawyer referral programs were being adopted and established in all of the larger cities throughout the United States, and also that Legal Aid Societies and

other organizations were being created to give assistance to those who needed help in their legal problems and were unable to pay compensation therefor. In each instance, it was pointed out that these other organizations were using members of our profession and that it would be to the best interests of the organized bar that they create a legal aid plan so that they could receive recognition for the fine work that they were doing in giving legal assistance and aid to those people who needed such help and were unable to pay for it. Also, in the report it was stated that it was time that we either establish such a program for our Association or terminate the existence of this Committee, because it was impossible to attain the desired results without some statewide plan.

This report seemed to receive the whole-hearted support of the vast majority of the members in attendance and voting thereon, and by reason of this encouragement and further encouragement which the Chairman of your Committee received at the meeting of the Southwest Bar Association in September, your Committee has prepared and submits herewith a plan for legal aid and lawyer referral to be sponsored by this Association.

Any legal aid plan will touch people without means and gives to them assurance that there is a place where they can obtain legal help irrespective of the fact that they may not be able to pay. Many people are fearful of the cost of legal advice and some do not know where or how to get such advice. Those persons financially able to pay a fee should be directed to a competent attorney specializing in the particular branch of the law applicable, and in order to do this there should be combined with any legal aid plan adopted by this Associationa a lawyer referral service. There are some 85 lawyer referral services now operating in the United States.

From the study of your Committee, it would seem that legal aid and lawyer referral services are closely related. Both are designed to make legal assistance available to all people irrespective of their financial ability to pay. In other words, it seems to your Committee that when you establish a legal aid plan you should also include in such plan a lawyer referral service, because there are potential clients able to pay for legal services who by reason thereof are ineligible for legal aid assistance. Generally speaking, the distinction which can be readily pointed out between the legal aid program and the referral plan is that legal aid is concerned with clients who require a charitable service, while the referral service is primarily designed to serve those persons in the middle income group who need legal advice and have no lawyer of their own but can afford to pay a moderate fee. The matters of distinction are sponsorship, support and control. Any legal aid or lawyer referral plan is a community service, and any group that sponsors such a plan, either separately or together, is fostering the best in public relations.

The plan submitted herewith is not materially different than the plan which was presented in 1951. It has been modified in some particulars and enlarged upon in others, being brought about by the additional study and experience in the interim.

It might be well to call to your attention that a large number of legal problems, both from within and without this state, have come to the attention of your Commitee for consideration, and in each instance these problems were sent on to some member of this Association in the particular county for their help in seeing that the persons involved received adequate legal aid. Many letters have been received from these recipients com-

mending this Association for affording them a place to go where they could get help when they had no means with which to pay for it.

Any plan adopted by this Association should be simple, because we do not have funds with which to set up a paid secretary or other full-time official to handle such a legal aid program.

This plan should be known as the "Kansas Lawyer Referral and Legal Aid Plan of the Bar Association of the State of Kansas."

1. *Districts.* Ten lawyer referral and legal aid districts shall be established by the Chairman of this Committee and approved by the President and the Council of the Association. Districts are to be established only according to county lines.

2. *Committee.* A Lawyer Referral and Legal Aid Committee consisting of a Chairman and ten members shall be appointed by the President of the Association, with one member of the Committee from each of the ten lawyer referral and legal aid districts.

3. *Members—Duties.* The Chairman of the Committee shall have general supervision of the work of the entire Committee. Each member of the Committee shall have full responsibility for placing into effect and maintaining in the future the lawyer referral and legal aid plan to be organized in his district and shall name one or more lawyers in each county in his district who shall, without expectation of compensation, provide legal aid, advice and assistance to all persons entitled to receive such assistance.

4. *Plan of Selecting Lawyers.* In the selection of lawyers, preference should be given to the younger members of the profession, but all lawyers in the county, if they show willingness to accept the appointment, shall be afforded such opportunity. Each lawyer named shall accept the appointment in writing and agree: (1) That he will grant legal aid, advice and assistance to any person desiring same without charge if such person has no financial means to pay for such service; (2) That he will give legal aid, advice and assistance to any person who cannot pay the regular scheduled fees, and in accordance with a schedule of fees to be established by the lawyer referral and legal aid committee; (3) That he will give all legal matters referred to him under said referral and aid plan his first and immediate attention; (4) That he will make a written report to the District Committeeman withn ten days of the date of the completion of any legal matter submitted to him; (5) That if any lawyer so appointed cannot provide such legal aid, advice and assistance because of his interest in said legal matter by having been retained as counsel by other parties or otherwise, then the District Committeeman shall designate another lawyer to act in said matter.

5. *Procedure.* All requests for lawyer referral or legal aid shall be made to the District Committeeman, and in turn it shall be referred to the lawyer or lawyers who have signified their willingness to act in the county where the legal assistance is to be provided. If legal assistance is required in a county other than in the District of the residence of the person making the request, then the Committeeman shall direct the request therefor to the Committeeman of the District in which the legal assistance is to be provided.

6. *Out-of-State Requests.* Out-of-state requests shall be directed to the Chairman of the State Committee on Lawyer Referral and Legal Aid, and in turn the Chairman shall direct such request to the District Committeeman, or in the event of an emergency, to the lawyer named in the county where the legal assistance is to be given. All requests made by members of the armed forces of the United States shall be directed to the Chairman of the State Committee, who shall act thereon in cooperation and co-ordination with the Committee on Legal Assistance to Servicemen, of this Association.

7. *Notice.* A printed notice setting out the details pertaining to the lawyer referral and legal aid plan of this Association, carrying the name and address of the State Committee Chairman and the District Committeemen, shall be posted on the bulletin board in all public buildings, and particularly the courthouses, and a copy of such notice shall be forwarded to the Chief of Police of all towns, and the Clerk of the District Court, the Sheriff and the Office of Social Welfare in each county of the district. A notice shall be prepared and issued by the Committee.

8. *Other Associations.* This Lawyer Referral and Legal Aid Plan shall not interfere with or obstruct any plan of any other organization, and any plan of any district, county or local bar association shall be co-ordinated with the plan of the State Bar Association and become an integrated part thereof.

9. *Rules and Regulations.* This Committee on Lawyer Referral and Legal Aid shall promulgate rules and regulations to be uniform throughout the state, in putting into effect such plan of this Association, including a fee schedule covering legal matters to be undertaken where requests are made by those who are able to pay something for the legal assistance to be granted under said plan.

10. *Finances.* The expense of placing the Lawyer Referral and Legal Aid Plan of this Association in effect and the maintenance thereof in the future shall be paid from the funds

of this Association, and a sum shall be budgeted for such purpose each year by the Council. The members of the Committee and the lawyers serving under said plan shall not receive any compensation from the Bar Association for services rendered. The Committeemen and the lawyers shall be reimbursed actual out-of-pocket traveling expenses in performing services for the carrying out of the work of said Lawyer Referral and Legal Aid Plan.

11. *Reports.* The Committee on Lawyer Referral and Legal Aid shall make report to this Association at each annual meeting.

Respectfully submitted,

A. J. STANLEY, JR.
RAY BRIMAN
ARTHUR H. SNYDER
DONALD STEWART
LEO RUPAR
J. W. LOWRY
JAMES FUSSELL
O. B. EIDSON, *Ex-Officio*
EVERETT S. STEERMAN, *Chairman.*

MR. EVERETT E. STEERMAN: Mr. President, I move the adoption of the report and the recommendations set out therein.

PRESIDENT DEPEW: Is there a second to the motion?

FROM THE FLOOR: Second the motion.

PRESIDENT DEPEW: You have heard the motion, which has been seconded. Is there any discussion?

MR. C. H. MORRIS: I am a member of the standing committee of the Legal Aid for the American Bar Association. I recommend that we do something about legal aid in the State of Kansas, and that we vote for this motion.

PRESIDENT DEPEW: Any further discussion? Well, it is something that is going to have to be taken care of and we have been discussing it a long time and not doing much about it. The Wichita Bar Association is engaged in a survey that is being conducted largely by the Social Welfare Agency to determine what the need is there by getting information about specific cases. I am sure it is going to be demonstrated that there is quite a need for it. Judge Johnson?

HONORABLE BERYL JOHNSON: Mr. President, that was a fine report—very comprehensive—and presents to the members of this Association a matter that I think is of very great importance. I fear in this group this morning it will be very difficult for us to give careful consideration to the report. That is, I mean that consideration that is necessary to vote upon a motion to adopt the report and the recommendations therein.

That leaves me then, Mr. President, to move as a substitute motion that the report of this committee be referred to the Executive Council for such study and consideration as it may desire with the assistance of the committee or others of the Association that might be called in. That is a substitute motion, Mr. President.

FROM THE FLOOR: I second the motion, Mr. Chairman.

PRESIDENT DEPEW: The motion to substitute has been seconded. Is there any discussion on that motion? We will vote on the substitute motion.

MR. C. H. MORRIS: I will join in voting for the substitute motion. I just want to get something done.

PRESIDENT DEPEW: I will take a vote. All those in favor of the substitute motion,

please say "aye". Opposed, "no". It is carried and so ordered. The Executive Council will take the burden in deciding what shall be done. At least, it is a step forward.

MR. EVERETT E. STEERMAN: Mr. President: Thank you, gentlemen, for taking the burden off the committee. (Laughter)

MR. EVERETT E. STEERMAN: Now, Mr. President, I am the chairman of another special committee; and while I am up here, I want to get through and get down where I can listen and enjoy this meeting. This is a special committee on War Work, and probably one of the most important pieces of work that this Association is doing. Your special committee on War Work desires to make the following report. I will tell you now that this report does not near cover the things that I should bring to you, but to do so would take too much time.

WAR WORK

Your Special Committee on War Work desires to make the following report:

The work of the Committee has continued as in the past. Possibly there have been a larger number of legal matters submitted for consideration of the members of this Committee during the past year than during the previous year, and the demand for legal assistance will continue so long as we have military forces stationed in all parts of the world. As you are aware, the work of this Committee has to do with handling legal problems of the men and women in the military service of the United States, and when they have a problem back home, it is forwarded to the Chairman of the State Committee in the state of their residence, and he in turn secures the services of some attorney to assist him or her in handling the problem.

Probably this is one of the best pieces of public relation that the organized bar has ever had, and so long as there is any necessity for such a program it should be maintained.

Your Chairman was again appointed as a member of the Committee on Legal Assistance for Servicemen of the American Bar Association, and attended the Mid-Year Bar Meeting in Chicago, at which time the Committee met and many problems were discussed and a more detailed program outlined for giving more speedy handling of legal problems for the servicemen.

All states, through their Bar Associations, have similar committees to the one in this state.

Many letters could be presented as evidence of the sincere appreciation of the recipients of this service. To do so would only extend this report.

During the past year the compendium was again revised and published in book form and several hundred copies were distributed through the Office of Judge Advocate General, Department of Army, to the Legal Assistance Officer at each of the military installations, both in this country and throughout the world. This makes available in a very limited way certain phases of the law of the several states which covers problems which the men and women in the military service may have while they are away from home. To put out a complete digest of the laws of the several states would be impossible from a practical standpoint as well as from the standpoint of finances. This printed Compendium has a place in the back for pocket editions and every two years it will be

revised by furnishing these pocket editions, which will bring the law covered in the bound and printed volume up to date.

Also, at the Mid-Year Bar Meeting it was determined that each member of the American Bar Committee should be given a certain area under his supervision, to the end that the legal services to be afforded the personnel in the military service would work more smoothly and give a more complete coverage. Your Chairman was assigned to the states of Connecticut, Delaware, Kansas, Montana, Nebraska, North Carolina, Pennsylvania, Vermont and Wyoming.

In order to have full and speedy coverage throughout the state of Kansas, it was necessary to have at least one member on the Committee from each of the counties and a larger number from those more densely populated. In every instance these matters are handled by members of the legal profession, and more generally by members of the Bar Associations—both the American and State Association of the state of the residence where the assistance is being given.

For the first time the complete list of the members of this Committee was published on pages 44-46 of the August, 1954, issue of the Journal of this Association. To these men goes great credit for the efficient manner in which the problems arising in Kansas have been handled, and it is well that they should be recognized as willing and efficient workers, such services being rendered without expectation of compensation, although not all matters submitted are handled without compensation.

This Committee should be continued, and it would seem to me that since we have an enlarged peace-time military program which will continue undoubtedly for many years in the future, this Committee should be made a standing committee of your Association. Possibly the name of this Committee should be changed to bring it to conform with the Committee of the American Bar Association which is designated as the "Standing Committee on Legal Assistance to Servicemen." Therefore, Mr. President, I would so move that in the adoption of this report the Committee be made a standing committee of this Bar Association and that the name be changed from War Work Committee to "Committee on Legal Assistance to Servicemen."

Respectfully submitted,

EVERETT E. STEERMAN, *Chairman.*

MR. EVERETT E. STEERMAN: Therefore, Mr. President, I move the adoption of this report and the recommendation that we change the name of this committee to coincide with American Bar's committee and that it be made a permanent and standing committee so long as we need one.

PRESIDENT DEPEW: Is there a second to the motion?

FROM THE FLOOR: Second the motion.

PRESIDENT DEPEW: It has been moved and seconded that this report be adopted with the recommendations, including the change of name. Is there any discussion? All those in favor say "aye". Opposed, "no". It is carried and so ordered.

The next committee to report is the committee on Legal Education and Admissions. Dean Jackson.

LEGAL EDUCATION AND ADMISSIONS

During the past year one formal meeting of the committee was called at Wichita on October 8, 1954, during the Mid-Year meeting of the State Bar Association. A number of the members of the committee were unable to attend this meeting, but those attending included Dean Frederick J. Moreau, O. B. Eidson, and the chairman.

It was the consensus of those taking part in the October discussion of the affairs of the committee that in view of the prospective, effective date of the seven-year education plan for college and law school work, further attention of the committee should be directed to observation and consideration of the operation of the seven-year plan as it shall be put into force.

Certain suggestions were voiced at the meeting as to procedural matters in the giving of the Bar Examination. Mr. O. B. Eidson was delegated by the committee to counsel with the Justices of the Supreme Court and the members of the Board of Law Examiners as to the feasibiblity of putting in force these procedural suggestions.

This report would not be complete without recording the final steps taken during the year for the operation of the seven-year program for college and law school education. The faculties of the two law schools of the state were in agreement and the plan had been formally approved by this Association prior to the beginning of the current year. But in the opinion of the faculties of both law schools, there existed a real danger both to students and to the schools if the plan should be put into operation without a formal order by the Supreme Court setting a definite date after which all candidates for the Bar would be obligated to have complied with the seven-year program. The deans of both schools consulted with the members of the Supreme Court and after full consideration, the Court on December 4, 1954, amended Rule 39 of the Supreme Court. The pertinent parts of Rule 39 as amended read as follows:

> "No. 39. Examinations relative to the qualifications of applicant shall be oral or in writing, or partly oral and partly in writing, in the discretion of the board. They shall include an inquiry into the moral qualifications and general learning of each applicant as well as into his learning in the law. Each applicant shall satisfy the board that he has completed a full standard high-school course in an accredited school, and that he has completed a full course of study in an accredited college, and a full course of study in an accredited law school and that he has been granted and holds the degree of A.B., or B.S., or higher degree and the degree of LL.B. or a higher degree; *Provided that from and after June 1, 1960, the applicant must show that the A.B. or B.S. or higher degree and the LL.B. or higher degree conferred upon him has been earned by satisfactory completion of study during fourteen academic semesters in an accredited college and in an accredited law school. In satisfying the fourteen academic semesters of study, the applicant must have completed not less than six semesters in an accredited college and not less than six semesters in an accredited law school, and the other two semesters either in the acredited college or in the accredited law school as the curricula of those schools may provide or require. . .*" (amended portions of the Rule in italics.)

As readily appears after the Bar Examination of February, 1960, all candidates for the Bar must have completed seven years of work after high school. This means that the last time that a student may enter a law school and complete his work for the law degree under the old minimum six-year program will be in September, 1957, and that even such students entering on that date will be compelled to attend summer school to come under the six-year program. It further means, that all students entering college for the first time from hence forth will be under the seven-year program. Thus the seven-year program has begun to operate.

With the adoption of the above Rule, Kansas again steps to the front in requirements

for legal education and admission to the Bar. We believe the rule will lead to further improvement of the Bar and its ability to cope with the intricate problems of modern society. By these new steps in legal education, the legal profession in Kansas keeps step with its companion, learned professions of medicine and theology.

In closing, it should be noted that the great progress in legal education in Kansas during the last fifty years could not have been attained had it not been for the close cooperation between the two law schools of the state and the Supreme Court of Kansas.

Respectfully submitted,

NONA E. SNYDER
GEORGE STALLWITZ
FORD HARBAUGH
HARRY W. FISHER
F. J. MOREAU
T. M. LILLARD, JR.
DALE CORLEY
LAWRENCE CHRISTENSON
O. B. EIDSON
SCHUYLER W. JACKSON, *Chairman.*

DEAN SCHUYLER JACKSON: President Depew, Honored Guests, and Members of the Association: Your committee on Legal Education has already filed its written report. I would not take time to read it here now. I want to bring one thing to your attention, though, before moving the adoption or the filing of the written report.

You may remember the past report to this committee. The committee has felt that it would be a very dangerous thing to put into effect the seven-year program for legal education without some order of the Supreme Court.

Both the faculty of the law school of K. U. and of Washburn—both faculties—were in agreement on the plan to be used and this Association some time ago had given its approval.

During the past year, among other activities, the two Deans of the law schools had several conversations with the Supreme Court; and on December 3 we were favored by an amendment of Rule 39 of the Court. I shall only read the amendment which is added to the rule.

"Provided that from and after June 1, 1960, the applicant must show that the A.B. or the B.S. or higher degree and the LL.B. or higher degree conferred upon him has been earned by satisfactory completion of study during fourteen academic semesters in an accredited college and in an accredited law school. In satisfying the fourteen academic semesters of study, the applicant must have completed not less than six semesters in an accredited college and not less than six semesters in an accredited law school, and the other two semesters either in the accredited college or in the accredited law school as the curricula of those schools may provide or require."

Now, just to point out what this means without reading the full report, this means that every boy who is starting to college now must have seven years of schooling. So, the seven-year program is now in effect. It does gives him the alternative of finding a school, I believe, who either will give him a three-year course in law after a four-year course in college or will accept him with three years of college and give him a four-year course in law.

Mr. Chairman, I move the filing of the written report.

PRESIDENT DEPEW: Is there a second?

FROM THE FLOOR: Second the motion.

PRESIDENT DEPEW: Any discussion?

MR. GEORGE BARRETT: I have taken part in two career day activities under the Public Relations program of recent months in which young students—prospective students of law—have showed a great deal of interest. This one question has been propounded to me in these career day Legal Education-Public Relations programs: "Does summer school attendance cut down this fourteen-semester, seven-year period of qualification for admission to the Bar?"

PRESIDENT DEPEW: Dean, will you answer that?

DEAN SCHUYLER JACKSON: Yes.

MR. BARRETT: In other words, they can reduce the seven actual calendar years somewhat by attendance at the summer school sessions.

DEAN JACKSON: Yes.

MR. BARRETT: This point was raised: That we were making a rich-man's profession out of the practice of law and a poor boy who had to earn his way through law school would face an insuperable task facing seven years at his own expense. That point was raised at both of these career day instances.

There are some chaps who are more receptive to law and would acquire more knowledge in five years than others would in seven, and a boy who had to earn his way through—or a girl for that matter—unless we did all we could to reduce that tremendous time that they have to prepare for their qualifications at their own expense, we might be tending to make a rich-man's profession out of the practice of law rather than letting the poor boy have an even chance.

DEAN JACKSON: I might give an example. First: That the summer school does cut it down. At Washburn, the summer school runs nine weeks and will take the place of one-half semester. I believe the summer school at K. U.—Professor Johnston can answer it more fully—but it does apply, also.

Now, as to the rich-man's son—having a son in college, I know what that does cost. (Laughter)

MR. DOUGLAS HUDSON: Mr. President.

PRESIDENT DEPEW: Mr. Hudson from Fort Scott.

MR. DOUGLAS HUDSON: Mr. President and Gentlemen of the Convention: I think there is some sound logic in the suggestion which has just been made about not making this a rich-man's profession. I am for poor boy Jones. You have heard what happened to him. He landed in the Missouri River. When a roll is called between the rich and the poor, I am always on the side of the poor. I might run for office again some time. (Laughter)

I can recall thirty-five years ago when we had an argument and I am sure it was in this same city in which they wanted to abolish the right of a lawyer to become a lawyer by studying for a few short months in some lawyer's office. Sam Amidon was there. He was for the poor boy just as I am.

Now, I notice this: Fundamentally and underlying this proposition is the thought

that unless you have this seven years you are not equipped to serve the public. Let's always remember that the underlying thought in all of these programs is better service to the public; and if one who has not had this seven years of preliminary training is not properly equipped to serve the public, let's put in a grandfather clause in reverse. Let's provide that all those who haven't had it turn in their certificates. (Laughter)

I notice that in these movements for the elevation of the Bar and for better service to the public that most of those who are in favor of the elevation went to night school just like I did. (Laughter) And, frankly, there is something to that and I don't believe in opening the doors wide like we used to.

I wonder how many of you have read the poem by Eugene Ware about the admission of "Hic" Jones to the Pawnee Creek Bar. Eugene Ware, of course, was the poet laureate of Bourbon County and afterwards Commissioner of Pensions of the United States; and he wrote a poem about the admission of "Hic" Jones.

The committee to investigate Jones' worthiness for admission to the Bar retired to the jury room in Bourbon County; and during the course of the interrogation concerning his admission to the Bar, which was accompanied by a deck of cards and some poker chips, Jones won the only law library in Fort Scott from the examiner on the committee. (Laughter) And after a long vigil they reported before the district judge and moved for his admission; and the chairman of the committee, whose books had been lost, said, "'Hic' Jones must not leave town." (Laughter)

Well, a lot of us have been admitted under more or less similar circumstances. (Laughter)

A. M. Keene of our city was chairman of the examining committee for a good many years and he was always about to run for Governor. (Laughter) And we had a rule that any Clerks of the District Court of Bourbon County who, through some myth, had studied law under the County Attorney, whose office was near—and they were admitted. I was admitted during Keene's easy reign. So, I have no objection.

But I doubt the wisdom of increasing this any further. Really, I do. I am not against it. I am not for it. I am neutral. (Laughter) Thank you. (Applause)

PRESIDENT DEPEW: The remaining committee reports will be considered at the Salt Mine tomorrow morning. This session is adjourned.

FRIDAY MORNING, MAY 20, 1955—CAREY SALT MINE

PRESIDENT DEPEW: Gentlemen, this session will now come to order; and I want to tell you this is the first time that I was ever asked to preside at a meeting this far below the surface, or any distance below the surface, for that matter, surface of the ground, I mean.

Our order of business, brings us down to the report of the Committee on Legal Institutes. Is Judge Sullivan here? The reports of those who are here will be taken, and the rest of the reports will be presented tomorrow morning at the session in the hotel.

Committee on Local Bar Associations, Fred Conner, is he here?

MR. SHUART: He is not here, and I have his report.

MR. DEPEW: Does he want to say anything about it?

MR. SHUART: No recommendations.

MR. DEPEW: There are no recommendations. Will somebody just move that this report which calls for no action, it has no recommendations, be filed?

(Motion made, seconded and carried.)

LOCAL BAR ASSOCIATIONS

The functions assigned to this standing committee of the association are: (1) To encourage the formation of Local Bar Associations throughout the state; (2) to assist Local Bar Associations in any way possible; and (3) to maintain a list of qualified speakers to appear at Local Bar meetings and discuss current legal subjects.

The committee has knowledge of 60 local associations now functioning; of these 54 are on a county or city basis and six cover the area of two or more counties. Local associations now exist in all counties where members of the Bar are found in substantial quantities. Regional associations cover most of those portions of the state where associations on the county level are not in existence. The smallest local group has five members and the largest has 325 members. While substantial progress has been made in organizing local associations in the smaller communities (populationwise) and 30% of the local Bar associations now have 12 or less members, the problem still exists of finding a formula for impressing upon the lawyers of the smaller county communities that they are missing the benefits and pleasures which can be derived only from the local level. The committee suggests that a possible solution to this situation might be found if a larger percentage of its personnel is appointed from counties not now having local Bar associations.

Local Bar associations have been assisted in many ways by this committee and other committees of the state association. These need not be detailed here, but it should be mentioned that assistance can not be given if there is no local association in existence or if the local group is only a shell with no life inside. Ideas may be formulated and aids may be prepared by committees at the state level, but it is largely up to the local associations and their members to reduce the ideas and aids to the local level and put them into effect. The committee recommends that a questionnaire be prepared and sent to all local associations to ascertain the extent to which the ideas and aids of the state association are being used, to inquire as to the activities of the local groups, and to obtain suggestions relative to future activities.

The committee obtained 94 members of this association to appear on a panel of speakers available to speak at local association meetings at any time and at their own expense. The speakers are from all sections of Kansas. The subjects selected by the speakers are those of primary interest only to lawyers. A list of speakers and their subjects was distributed to the officers of all local groups and to all members of this association. Exact results of this effort are unknown as all contacts by local groups were directly with the speakers, however, members of this committee have seen several programs of local and regional Bar associations indicating the speakers panel has been used for its intended purpose.

Some of the members of this committee were appointed to serve in "advisory" or "ex-officio" capacities. Such designations are omitted from the signatures to this report since the chairman of the committee did not know the meaning of the words and all members performed the duties assigned to them.

Respectfully submitted,

DAVID J. WILSON	CHARLES E. HENSHALL
ROBERT F. GALLOWAY	CHARLES E. JONES
FRANK G. THEIS	WALLACE T. WOLFE
CHARLES E. RAUH	PHILIP BUZICK
KNOWLTON CARSON	ELMER COLUMBIA
CLEMENT F. CLARK	HARRY O. JANICKE, *Ex-Officio*
ROBERT F. SCHERMERHORN	FRED L. CONNER, *Chairman.*

MR. DEPEW: The next is the report of the Memorial Committee, Judge Garvin:

MEMORIALS

This year we are continuing the plan adopted two years ago of obtaining a questionnaire on each lawyer (whether a member of the Kansas Bar Association or not) who died during the year. There were a total of 41 lawyers who have died since our last annual meeting April 16, 1954. We have obtained questionnaires on each of the deceased lawyers, then placed them in a loose-leaf binder in alphabetical order.

Your Memorial Committee members want to thank the District Judges and lawyers who have helped in obtaining information for some of these questionnaires. We are especially indebted to our efficient Secretary, Mr. John W. Shuart, for his assistance in reporting the deaths of lawyers, both members and non-members of our organization.

The names of the lawyers who have died since our last annual meeting are as follows:

ALFRED ANDERSON, recently killed in a vehicle accident in Colorado; CLIFFORD W. BALDWIN, died May 8, 1955; RICHARD E. BIRD, died January 10, 1955; JOHN T. BOYLE, died May 30, 1954; JAMES A. BRADY, died January 10, 1955; JOHN B. BRYANT, died July 18, 1954; PHILLIP H. CALLERY, died May 4, 1954; JAMES H. CHAMBERS, died June 1, 1954; ROBERT W. COBURN, died July 16, 1954; ROLLA W. COLEMAN, died April 16, 1954; J. W. DALTON, died April 15, 1955; CHARLES S. DENISON, died September 3, 1954; WILLIAM CLAYTON DICKEY, died February 7, 1955; THOMAS B. GODSEY, died June 8, 1954; HAROLD B. HARRIS, died May 12, 1954; LEROY HARRIS, died May 28, 1954; ROBERT H. HUDKINS, died in April 1955; WILLIAM F. JACKSON, died January 3, 1955; FRED D. JOY, died June 20, 1954; CLAUDE E. JURNEY, died April 3, 1955; CHARLES F. McCLINTOCK, died January 20, 1955; JAMES A. McCLURE, died June 8, 1954; THOMAS FELIX McGLYNN, died May 9, 1954; JAMES A. McGUIRE, died August 28, 1954; FRANK ELWOOD MILLER, died July 17, 1954; A. B. MITCHELL, died November 27, 1954; HARRY C. O'REILLY, died May 19, 1955; HUGO ORLOPP, died May 29, 1954; DAVID PALMER, died July 1, 1954; W. C. PEARCE, died December 12, 1954; WALTER PLEASANT, died March 23, 1955; C. H. QUIER, died November 25, 1954; JUDGE

RALPH B. RALSTON, died August 12, 1954; CLEMENT AUSTIN REED, died April 10, 1955; JOE T. ROGERS, died July 29, 1954; LARUE ROYCE, died December 20, 1954; EDWARD ROSS SANFORD, JR., died May 1, 1954; JUDGE OMER D. SMITH, died October 29, 1954; THOS. A. SULLIVAN, died July 7, 1954; C. L. WILLIAMS, died April 20, 1954; and KENT E. YOUNT, died May 1, 1954.

Respectfully submitted by your memorial committee,

T. F. RAILSBACK	EUGENE G. COOMBS
MORRIS P. O'KEEFE	CLAYTON M. DAVIS
CLEMENT H. HALL	DAVID J. WILSON
ROY B. DARLINGTON	W. M. BEALL, *Ex-Officio*
C. A. P. FAULCONER	ROBERT GARVIN, *Chairman.*

MR. ROBERT GARVIN: I am going to read you just one short questionnaire so you—those of you who haven't heard them before will know about what information we put in these reports.

Name: Clement Austin Reed.

City: Coffeyville, Kansas.

Date of Birth: June 18, 1892.

Date of Death: April 10, 1955.

Place of Birth: Burlington, Kansas.

Place of Death: Coffeyville, Kansas.

Name of University or College Attended: University of Kansas at Lawrence.

Date Admitted to Bar: June 7, 1916.

Member of Following Bar Associations: State Bar Association of Kansas; Montgomery County Bar Association.

Name of Immediate Relatives: Mrs. Hester L. Reed, widow; Clement A. Reed, Jr., son; Miss Marjorie Reed, daughter; Mrs. Max I. (——), daughter.

Public Offices Held: President, Board of Education, City Attorney and Judge of the Court of Coffeyville.

Outstanding Events of His Life: Some years ago he taught the Men's Bible Class of the First Christian Church with an attendance of over 2,000 members, the largest Bible class in the State of Kansas. Elder Emeritus of the First Christian Church of Coffeyville, Kansas. Past Master of Keystone Lodge, No. 102, AF&AM. Served as Grand Prelate of the Knights Templar in the State of Kansas. Past Commander of American Legion Post 20, Coffeyville; and Lieutenant in the First World War.

Reported by: A. L. Lamb, Coffeyville, Kansas.

That is a sample of the information we get. This winds up my services on this Committee, and I would like to make some recommendations.

You can't imagine, gentlemen, how much trouble and expense and writing, letter writing, phoning it takes to get these questionnaires and if you will each mail in to our Executive Secretary obituaries in town of lawyers who have died between today and next

meeting day, it would be very helpful and save a lot of difficulty and we would be able to get better questionnaires and better reports out, and if any of you want to get in this little black book, you know how you can do it. Thank you.

I move the adoption of the report.
(Motion carried.)

MR. DEPEW: The next report we have is from the Committee on Professional Ethics by J. G. Somers. I'll read his report. I guess the Judge is not here.

PROFESSIONAL ETHICS

"The work of this committee during the past year has been handled largely by correspondence. One meeting was attempted, but a quorum did not attend.

"There have been numerous complaints filed with the committee, most of which, on their face, did not involve breaches of professional ethics. However, those that appeared to, were all investigated, a satisfactory explanation made, and the complainant notified.

"There are still four matters pending to be referred to the committee as a whole at its meeting tomorrow.

"No complaints have been referred to the Board of Bar Examiners for action during the past year, and none pending appear to be serious enough to require such action." Signed J. G. Somers, Chairman."

That "tomorrow" referred to yesterday, since the report is dated May 18th, and you have probably seen in the press that since this report was made, that the committee apparently sent to the Board of Bar Examiners complaints against three Wichita lawyers, and according to the press reports this morning, the Board of Bar Examiners will ask for the surrender of licenses of those three lawyers, and if they're not surrendered action will be taken in the Supreme Court.

The report itself does not cover that matter because it had not been included when the report was written. Will someone move the adoption of the report as it stands?
(Motion made by Edward M. Boddington, Sr., and carried.)

The Program Committee, Joe Balch. Is Joe here? I think he's probably busy with the program for this afternoon. I know that from the attendance at the program section meeting yesterday afternoon, you are all familiar with the fact that Joe is really doing a job, and I think that the program that he has arranged for the section meetings later in the convention will be just as good. He doesn't have to make any report, it isn't customary for that chairman to make a report except to show what they can do by arranging their section meetings and it's an important part of the work of the convention, and I know those section meetings are valuable, enjoyable, and the committee headed by Joe Balch that arranges those programs is entitled to a lot of credit.

Speaking of the program and the events scheduled on it, I want to urge everybody here that possibly can to stay here tomorrow for the noon meeting. We will finish up whatever reports are not disposed of here this morning, but at noon tomorrow we have a meeting that will furnish a lot of enjoyment and you will have an opportunity to get some valuable information on a subject that is quite in the forefront of discussion and

consideration, and that's the relations between the press and the Bar; and tomorrow at the luncheon, we will have with us Mr. A. T. Burch, Associate Editor of the Chicago Daily News, who is the son of our former Chief Justice Burch. Mr. Burch has been interested in this subject for some time and has talked to American Bar gatherings, the Chicago Bar, the State Bars, etc. Our own public relations committee has spent a lot of time and effort in trying to establish better relations with the press and arrive at some better basis of understanding as to what cooperation can be used that will satisfy the owners of newspapers and the reporters and editorial writers of newspapers and at the same time improve the public relations situation of our own profession; and I want just as many as can to come and hear Mr. Burch tomorrow noon.

Yesterday I introduced Judge Felix V. Makasiar from Manila in the Philippine Islands, who is traveling over the United States observing our courts and high schools and prisons and conventions and so forth. We have with us this morning two other gentlemen who are of our profession from Indonesia and are touring the United States under the Foreign Leaders Exchange Program, and the State Department and the American Bar Foundation asked us to entertain them here for a day or two at this convention. We were, of course, glad to accept and to have them here. I would like to have Mr. Arsjad stand up, please. (Applause) Thank you. He is a lawyer and writer of Djarkarta, Indonesia, and holds some public offices there. The other gentleman is Judge Soerjadi. Will you please stand? (Applause) He is chairman of the District Court and the Military Council of Semarang. I don't know just exactly what duties that involves, but I know it's an important position; and I want to tell you two gentlemen that we are very proud and happy to have you with us and your opportunity to stop here and take part and look on in our convention is appreciated. We hope you have a nice time and that you learn something that will be of benefit to you when you go back home.

The next committee report we have on our program is "Prospective Legislation", of which Ed Boddington of Kansas City is chairman.

MR. BODDINGTON: Mr. President and Gentlemen of the Bar. This is a tired committee you have, but I want to tell you that they have done a lot of work this year. I don't know how effective, but we've done our best.

On this committee, I'd like to just name them for you, so you will know who they are. We sort of took Judge William C. Kandt of Wichita in as ex-officio and Mr. William M. Ferguson of Wellington, and then we start out with the Honorable Richard L. Becker, Wilford Riegle, J. T. Foss and R. C. Woodward, Warren W. Shaw, Eldon D. Perkins, John D. Schroeder, John Murray, James W. Porter and your humble servant.

Gentlemen, we had some encouragement this year. We almost succeeded, not quite, in our long trek for depositions.

The report of the committee is as follows:

PROSPECTIVE LEGISLATION

Your Committee on Prospective Legislation has had a busy year. The Chairman and some of its members have carefully considered the past mandates from the Kansas State Bar Association and have made an earnest endeavor to change the law and modernize our

Civil Procedure and bring it somewhat in conformity with the Civil Procedure in the Federal Courts and in the Courts of the four surrounding states; especially as the changes relate to discovery, that is, the right to take depositions.

In addition to inter-committee correspondence relating to the Chairman's letter of September 30, 1954, the Chairman and a number of the members of the Committee met at the Jayhawk Hotel in Topeka, Saturday, December 18, 1954, at 9:30 a.m., with the Committee on Improvement of Laws and Procedure under Chairman Judge William C. Kandt of Wichita, Kansas. A variety of suggested laws was carefully considered by this Committee and Mr. John W. Shuart, Executive Secretary of the State Bar Association, ably presented the thirteen proposals which were approved for consideration of the Legislature and furnished that Committee with the Bar Referendum vote thereon.

The Kansas Judicial Council also favorably considered eleven of the thirteen following numbered proposals, and approved and voted in favor of proposals #1 to #6 inclusive and # 9 and #13 inclusive. Thereafter Mr. John W. Shuart and your Chairman met with members of your Committee on Prospective Legislation, many of whom were members of the House and Senate, and eleven approved formal bills were presented and allocated to either the House or the Senate for consideration.

The Barletter of April 12, 1955, gives an accurate resume of our legislative experience in the 1955 session, to-wit:

Bills recommended by Bar referendum and passed:

#1 SB-101 Bastardy statute amendment (L. 1955, Ch. 283);

#3 HB-208 Trial to court in felonies permitted (L. 1955, Ch. 281);

#4 HB-209 Names to be typed under signature (L. 1955, Ch. 214);

#8 HB-122 Raise wrongful death limit to $25,000 (L. 1955, Ch. 277);

#12 SB-60 Acknowledgments by commissioned officers permitted for service personnel and spouses (L. 1955, Ch. 299).

Bills having the non-recorded approval of the Bar and passed:

HB-442 Joint tenancy change recommended by Title Standards Committee (Ch. 271);

SB-283 Increase in District Judges' salaries from $7,000 to $8,000 (Ch. 375);

SB-284 Increase in Supreme Court Justices' salaries from $10,000 to $12,000 (Ch. 374).

Bills passed by Bar referendum but failing in passage:

#2 HB-217 Alimony statute amendment

#5 Senate Concurrent #3. Selection and tenure of judges by plan similar to Missouri and ABA plans

#6 HB-383 Supreme Court to name commission to revise code of civil procedure

#7 Notice in default judgment situations

#9 House concurrent #8. Providing for the study and recommendations on the advisability of enacting legislation declaring common law marriages null and void

#10 Amend Sec 3 of Article 12 so that Legislature will have authority to provide the manner in which religious corporations can hold, place liens upon, or convey title to real estate

#11 HB-138 Make it no longer a felony to run away from the boys or girls industrial schools

#13 HB-380 Permits the taking of depositions under certain circumstances.

House Bill 380, which would permit the taking of depositions under certain circumstances was passed by the House but killed in the Senate Judiciary Committee. It not only had the unanimous approval of past Annual Bar Association Conventions, but it also had a Bar Referendum vote in its favor of 535 to 101. House Bill 383* provided the authority for the Supreme Court to name a Commission to revise the Code of Civil Procedure. This Bill, likewise, passed the House and was killed in the Senate Judiciary Committee. The Bar Referendum on this Bill was 583 to 63. The House of Representatives made a splendid effort to achieve the long sought for results and improve the Civil Code of Procedure, but for reasons unknown to your Chairman these paramount Bills failed to receive the approval of the Judiciary Committee of the Senate which is composed entirely of lawyers. Perhaps the job of educating the public and/or educating the members of the Bar themselves has not proceeded far enough, but your Committee feels that in time this modernization project of the Civil Code must be accomplished. May we have a closer liaison and understanding between the majority of the members of the Bar and the few who resist such essential and necessary changes in our Code of Civil Procedure.

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*Text of 1955 House Bill No. 383:

AN ACT authorizing the supreme court to create a commission to study, revise and rewrite the code of civil procedure and the justice code; providing for the membership thereof; authorizing the employment of certain persons and providing for an appropriation for the use of the commission so created.,

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. There is hereby created a commission to be known as "the commission on the Kansas code of civil procedure" hereinafter referred to as the commission. The commission shall consist of five members. Three of the members shall be appointed by the supreme court and shall be members of the Kansas bar in good standing. The president of the bar association of the state of Kansas and the chairman of the judicial council shall be ex officio members of the commission: *Provided, however,* That if the ex officio members or either of them do not choose to serve the court shall appoint a substitute or substitutes therefor.

SEC. 2. It shall be the duty of the commission to study, revise and rewrite the code of civil procedure, being chapter 60, and the code of civil procedure before justices, being chapter 61, of the General Statutes of 1949, and the General Statutes Supplement of 1953 and acts amendatory therof and supplemental thereto, and prepare such other general rules of practice and procedure not in conflict with the above mentioned codes as revised and rewritten.

SEC. 3. At least ninety (90) days prior to the opening of the 1957 session of the legislature the commission shall present a preliminary report of its work to the justices of the supreme court together with its recommendations. The preliminary report and recommendations of the commission together with any recommendations which the supreme court may wish to make shall be filed by the clerk of the supreme court with the judiciary committees of the senate and of the house of representatives of the 1957 legislature. The final report of said commission, together with the recommendations of the supreme court, shall be submitted by the supreme court to the legislature at the opening of the regular session in the year 1959. If an act adopting the final report, including the revisions and rules, or the substantial provisions thereof, be enacted at such session, the provisions so adopted or enacted shall become effective from and after three (3) months from the date of publication in the statute book.

SEC. 4. Amendments to the general rules of practice and procedure as revised under this act may be prescribed by the supreme court and shall be submitted by the court to the legislature on the opening day of any regular biennial session of the legislature, and, unless adverse action shall be taken thereon by the legislature at such session, such amendments shall be published in the official statute book at the close of such session, and shall take effect three (3) months after such publication.

SEC. 5. The commission shall, with the approval of the supreme court, have authority to employ and fix the compensation of such stenographers, clerical and technical assistants as may be needed to perform its duties under this act. Such employees shall be in the unclassified service under the Kansas civil service act.

SEC. 6. Each member of the commission shall at all times be under the control and authority of the supreme court, and the court shall have the power to remove any member appointed by said court and to substitute another member of the Kansas bar therefor. Each appointed member of the commission shall serve at the pleasure of the court, and during such service shall receive as compensation, for the duties required of him, an annual salary of one thousand dollars ($1,000), payable quarterly, plus necessary traveling, hotel and sustenance expenses to accomplish the purposes herein declared. Compensation for stenographic, clerical and technical services shall be paid, subject to the approval of the supreme court.

SEC. 7. There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, to said commission for the use and purposes specified in this act, the sum of twelve thousand dollars ($12,000), or so much thereof as may be necessary for the fiscal year ending June 30, 1955: *Provided,* That any unexpended or unencumbered balance as of June 30, 1955, is hereby appropriated for the same uses and purposes for the fiscal year ending June 30, 1956.

SEC. 8. The controller of state is hereby authorized to draw his warrants on the treasurer of state upon the presentation of pay rolls or vouchers duly itemized and approved by the chief justice of the supreme court.

SEC. 9. This act shall take effect and be in force from and after its publication in the official state paper.

Eight Bills in which the Bar was interested did pass and this is much better than past experience. The Committee on Improvement in Law and Procedure made a great effort and had a wholesome effect in obtaining a broad expression of opinion from the members of the Bar. May we have more effort and more improvement over the next two years. Perhaps we can get a better start before the next Legislature.

Your Committee suggests that the Committee on Improvement in Law and Procedure be a permanent standing committee and be empowered to immediately start obtaining recommendations for recommended changes in the law, that all recommendations approved by the Committee on Improvement in Law and Procedure be circulated widely among the members and their expression of approval or disapproval be obtained; that this Association's approval be widely circulated in the attempt to get local bar associations to support needed legislation and that the action of local bar associations be made known to their members of the House and Senate; and that the Committee on Prospective Legislation be enlarged so as to include more members serving in the House and Senate.

Your Committee cannot too highly praise and commend the thorough and excellent cooperation and service rendered at all times by John W. Shuart, Executive Secretary. We also commend the members of the House and the minority of the members of the Senate Judiciary Committee who were favorable to the Bar Association's program. May we have a majority who feel that either the principles of House Bill 383 or House Bill 380 should be adopted to improve the Civil Procedure in the State of Kansas.

Respectfully submitted,

RICHARD L. BECKER
WILFORD RIEGLE
JAY T. BOTTS
R. C. WOODWARD
WARREN W. SHAW
ELVIN D. PERKINS
GARNER E. SHRIVER
JOHN MURRAY
JAMES W. PORTER
WM. M. FERGUSON, *Ex-Officio*
EDWARD M. BODDINGTON, *Chairman.*

MR. BODDINGTON: I move the adoption of the report.

MR. DEPEW: Is there a second to the motion?

Before any discussion, I might say that the adoption of this report would confirm the recommendation about making the Committee on Improvement of Laws and Procedure a standing committee. That would not really effect that purpose, because the constitution and by-laws designate the standing committees and their purposes, so that for the coming year, at least, it would still be a special committee and the Executive Council would have to submit it to the next convention as an amendment to the constitution and by-laws. But if you're in favor of it, you can vote for the adoption of this report, which will indicate the sense of the meeting to the Executive Council.

Is there any discussion on this report? If not, all those in favor say aye. Opposed no. Carried, and it is so ordered.

JUDGE HUGO T. WEDELL: I may be out of order and you may not be interested, but I would like to use this opportunity to make a statement in connection with your committee's work on the revision of the Code of Civil Procedure, it will take about two minutes.

I would like first to ask a question, if I may. I want to ask first for my own enlightenment, before I make a further statement, whether the bill [1955 H. B. No. 383*] that, or rather the suggestion or motion that was adopted by the State Bar Association for a revision of the Code of Civil Procedure, whether that action of this Association provided that the Supreme Court was to be responsible for the revision?

MR. DEPEW: Mr. Boddington, can you answer that?

MR. BODDINGTON: The bill* was fostered by another group, originally, and I think some of that group are here and could tell you and answer your question. My impression was when I read it that the Supreme Court was made responsible for that revision, and some amount of funds was to be provided by the legislature for the work involved.

JUDGE WEDELL: Well, if there is no statement to the contrary, I want to make the statement and assume full responsibility for my own action with regard to that insofar as legislative inquiry was concerned.

The bill that I saw that was first introduced, and Mr. Lillard did a lot of work on it, let me say right now, nobody is more highly in favor of the general purpose underlying that measure; but in my judgment, the trouble was not with that. The trouble was with the method of—which provided later, in a later bill, for appropriations by the legislature to do the work; and in my judgment, that is what defeated your bill primarily. Now just as well shoot straight to the bull's eye, so far as I was personally concerned, I told Mr. Lillard that under no circumstances would I be willing to assume that responsibility, or my share of it, but was wholeheartedly in favor of the measure. Now, you needn't fool yourselves at all, that is a tremendous job, it is no play matter. It requires a careful investigation of the interpretations that have already been made of present provisions of our civil code, in order that you don't do some useless thing in amendments. It's a big job, and in my judgment, we just as well recognize it, we will not get it done unless the legislature is willing to appropriate for a commission that will really get down to business and do that job.

Now, I think that's your trouble. I just wanted to say that. (Applause.)

MR. DEPEW: Thank you, Judge. I have some kind of an idea as to what kind of a job it will be. I worked as an unpaid assistant to the commission that made the revision in 1923, Chester I. Long, then my senior partner, F. Dumont Smith, and Hugh P. Farrelly and I know that those men almost worked themselves to death on our statute revision, and I can see that the revision of the code would be a similar job, and that it would take a lot of work, and of course would take a lot more money now than it took to revise the whole code in those days, because of the decrease in the value of the dollar and the difficulty in obtaining the right kind of men to do the work.

Is Judge Wallace in the room? Well, I'll pass the Public Relations committee for the moment. Is Harold Blake in the room? Mr. Blake is Chairman of the Committee on Relations with Abstracters. Do you have a report to make this morning?

MR. BLAKE: Mr. President, there was no activity, no problems and we filed a short written report. I move it be filed.

MR. DEPEW: It has no recommendations for action?

*Text of 1955 House Bill No. 383 appears on page 65, supra. [EDITOR'S NOTE: Summary of a somewhat similar bill (1953 H. B. 306), by the Committee on Court Procedure, appears in the August, 1954, Bar Journal, page 30.]

MR. BLAKE: That is right.
(Motion passed.)

RELATIONS WITH ABSTRACTERS

After the appointment of this committee, all members were contacted and requested to submit any matters which should be considered. There have been no complaints, recommendations or other matters submitted to this committee by abstracters or attorneys. Therefore, there is no formal report to be made.

Respectfully submitted,

BILL MILLER
MARLIN S. CASEY
WILLIAM S. EDDY
C. E. BEYMER
VERNON W. WEBER
WESLEY E. BROWN
HAROLD L. BLAKE, *Chairman*

Relations with Lay Adjusters, Judge McClellan, is he here? We have a report from him, it's very short, and I'll read it:

RELATIONS WITH LAY ADJUSTERS

"Your committee on relations with lay adjusters reports as follows: Since the adoption of the principles governing relations with adjusters at the last State Bar meeting, no suggestions or complaints have been received by your committee concerning any violations of these principles. Apparently, the relationship between lawyers and laymen adjusting insurance claims is satisfactory.

"Your committee has no additions or modifications to make in the principles adopted by the State Bar Association in 1954."

The members of the committee were: Auburn G. Light, J. R. Rhoades, Norman Jeter, Douglas Hudson, Jr., George B. Powers, *Ex Officio,* and Ora D. McClellan, *Chairman.*

May I have a motion to adopt that report and file it. (Motion made, seconded, and carried.)

Relations with the Medical Profession, William Tinker. Is Bill Tinker here? He has submitted a written report which has no recommendation except the continuation of the work of the committe. May I have a motion to receive and file this report. (Motion made, seconded and carried.)

RELATIONS WITH THE MEDICAL PROFESSION

Your Committee submits the following report:

A large part of the Committee's functions was devoted to the promotion of a medical-legal institute. Properly conducted such a program would be of benefit to the Bar. Institutes of this kind have been held with great success in Chicago and some of the other metropolitan areas, many of them under the auspices of Dr. Hubert Winston Smith. He is now on the faculty of the law school of the University of Texas. It was the belief of the chairman of your Committee that a medical-legal institute under the auspices of the State Bar Association or under the joint auspices of the Association and some of the

Kansas Colleges or law schools would be a worthwhile endeavor. To that end we had considerable correspondence and a meeting at the University of Kansas on September 3, 1954. Dr. Franklin Murphy, chancellor of the University of Kansas expressed interest in the matter and suggested that the University participate in the sponsorship. He offered to make the facilities of the medical school and the law school of the University available if such a program was undertaken. Dean Jackson of the Washburn University law school also expressed interest and attended the meeting at Lawrence. No conclusions were reached but it is felt that there is a need for an impartially sponsored program of this sort. Some of the local Bar Associations in Kansas have already sponsored programs of this sort on the local level.

Your Committee's functions also fell within the sphere of proposed legislation involving an overhaul of the coroners' laws in Kansas. Without taking sides on any of the controversial aspects of such a legislation we did participate in meetings at Topeka and at the University of Kansas medical school which were held to consider the changes thought desirable. The Kansas Medical Society is particularly interested in legislation designed to improve the coroners' functions in this State.

The Kansas Medical Society has appointed a Committee on Relations with the Legal Profession and has expressed interest in exploring those areas of common interest to both professions.

Your chairman believes that a continuation of the work of the Committee during the ensuing year would be of benefit and value to the Association and to the Bar for the reason that the legal profession and the medical profession have many points of common interest. Cooperation between the two professions would be of value to us all.

Respectfully submitted,

ROBERT PARTRIDGE
DONALD R. NEWKIRK
HENRY M. MARTZ
GEORGE E. RAMSKILL
WILLIAM M. MILLS, JR.
ED CURRY
BLAKE A. WILLIAMSON
DONALD HICKMAN
ABRAHAM WEINLOOD
HARRY O. JANICKE, *Ex Officio*
WILLIAM TINKER, *Chairman*

The next report is a short report from the Committee on Relations with Realtors, Wendell Garlinghouse, chairman.

RELATIONS WITH REALTORS

"Your committee on Relations with realtors met at Wichita on October 8, 1954. It has learned that the Kansas Association of Real Estate Boards has not adopted the resolutions pertaining to principles which were recommended to the State Bar Association at its 72nd Annual Meeting held in April, 1954 and which were then adopted by the Bar Association of the State of Kansas. The Kansas Association of Real Estate Boards has been urged to adopt the same resolutions which were adopted by the Bar Association. Since the Kansas Association of Real Estate Boards has failed to cooperate to the extent of adopting the statement of principles, your committee recommends that no further action be taken by it or by the Bar Association unless the Kansas Association of Real Estate

Boards first shows its intention of cooperating with the Bar Association by adopting the resolutions heretofore mentioned."

The purpose of that committee, of course, was to establish a statement of principles which might be followed in the Realtors Board, and up to date it has not seen fit to adopt them. Will someone move the adoption of the report?

(Motion made, seconded and carried.)

Relations with Trust Bankers, Mr. Henry V. Gott, Chairman. I will read his report as submitted to the Executive Secretary:

RELATIONS WITH TRUST BANKERS

"As indicated in my letter of April 19, I really see no need for a written or oral report of the above committee for the past year. The situation is as stated at the above time. There have been no complaints, and we really have done nothing during the past year except hold the meeting at the Mid-Year Bar Association Meeting last October. Therefore, unless I hear from you to the contrary, I will assume that the report will be omitted this year."

May I have a motion to adopt that report?

(Motion made, seconded and carried.)

The next committee is on the "Selection, Tenure and Retirement of Judges." Don Magaw is the chairman of that committee and has submitted a report in writing and is present.

SELECTION, TENURE AND RETIREMENT OF JUDGES

MR. MAGAW: Mr. Chairman, your committee on selection, tenure and retirement of judges recommends the American Bar Association plan for the selection and tenure of judges of the district court and justices of the Supreme Court at the annual meetings of this association in 1952 and in 1954. A concurrent resolution was introduced in the House of Representatives in the 1953 session of the legislature for the submission of a constitutional amendment for the purpose of securing the adoption of this plan. The resolution was killed in the House Judiciary Committee. A similar resolution was introduced in the Senate in the 1955 session which was lost in the Senate Judiciary Committee.

Your Committee wishes to renew its recommendation of the American Bar Association plan, and urges its introduction and consideration by the next legislature, as an amendment to the constitution of the State of Kansas. I assume that should be interpreted to mean the '57 session, and not the so-called "short" session in prospect.

The present retirement system for judges of the district court and justices of the supreme court enacted in 1953 is, in your committee's opinion, on the whole, highly satisfactory. There are six former district judges and one supreme court justice currently drawing benefits under the act.

Your committee feels that the retirement act of 1953 should be amended as follows:

1. That the minimum tenure of service for eligibility retirement benefits be changed

to either eight or twelve years, for the reason that the ten year tenure now provided in the act does not fit the four year terms to which the district judges are elected.

2. We recommend the repeal of the provision limiting the earned income of retired judges receiving benefits under the act to $75.00 a month. The committee feels that such provision is unfair, strictly a welfare concept, and misses the spirit of the retirement plan for judges.

Your committee wishes merely to call the attention of the association to these desirable changes in the retirement act. We do not desire to urge action thereon at the next session of the legislature. Your committee feels that to subject the judges' retirement act to crippling amendments or outright repeal by urging changes so soon after its enactment might be most unwise. We do feel, however, the official approval of these changes to the Judges' retirement act should be made a matter of record by our Association.

Respectfully submitted, Edgar C. Bennett, Lloyd Kagey, William McHale, Howard C. Kline, Elmer Columbia, J. W. Scovel, ex-officio, and Donald Magaw, Chairman."

Mr. Chairman, I move the adoption of the report.
(Motion seconded.)

MR. DEPEW: Is there any discussion?

JUDGE DAY (Atchison): Some years ago I thoroughly favored the adoption of this plan. Since that time I have completely changed my attitude on it. The reason, that I have seen it fail in our sister state of Missouri. Their law provides for the selection of circuit court judges in St. Louis and Kansas City and I believe their court of appeal justices. During the past year or possibly two years, the Governor and the Commission of the State of Missouri, commission which makes recommendations, have been at loggerheads; and as a result, the Governor of the State of Missouri has refused to appoint any of the three circuit judges that the law provides for in the State of Missouri in Jackson County, which is way behind in its trial docket, and these judges are badly needed. Now, the theory of this amendment was that we were going to get away from politics; and instead of that, it has worked just the opposite in that state. Consequently, I do not now favor the bill. I will say to you, however, that that is my own individual opinion. It was not discussed at the meeting of the district judges, but it is my personal opinion that it is not now a good law, as proposed. I think when the judge runs, he should run on his record, and not against some individual the people think they can select to make a better judge. I do not favor the adoption of the report, with reference to the selection of the judiciary, and I offer an amendment, that the report be approved with that exception, that it be not recommended, the selection of judges. (Motion seconded.)

MR. DEPEW: It has been moved and seconded as a substitute motion, that the report be adopted except as to the recommendation of the manner of selecting judges. Is there any discussion on the substitute motion?

MR. WHEELER: Mr. Chairman, it occurs to me there is nothing wrong with the law, it's a matter of individuals; and it seems to me that we might hire one of these lawyers around here and start a suit in mandamus to get the governor to do what the law says. I am opposed to the amendment.

MR. DEPEW: Judge Jochems.

JUDGE JOCHEMS: This is a matter that has been worked on by this State association for many, many years. I can recall that I was chairman of the committee way back about 1932 or '33, and recommended to this association what was known as the Georgia plan at that time, which is now the Missouri plan; and this association adopted that recommendation. The only thing that held us up then was that it was suggested that inasmuch as the Judicial Council were wanting a couple of constitutional amendments, we should confer with the Council and shouldn't submit any constitutional amendments that would interfere with their program at that time. We conferred with them and they had a couple of amendments they were quite anxious to get through and somewhat to our surprise, we found they were practically all opposed to this plan, and so we were sidetracked at that time. Now then, the thing has gone on here for years and years, and it has gotten up to the point where this committee now, this association is on record, as I understand it, now for the ABA Plan. Now, if you go back, and adopt this substitute amendment it puts you back where you are not going ahead with that plan as I understand it. Now recently my partner and I communicated with a number of Kansas City lawyers. We picked out a few men we knew down there, representative lawyers, and out of about ten of those gentlemen, they came back and said it was regrettable that they were in this situation down there with the governor, but that they were still for the plan of selection, and that they are going to find some sort of a way to solve that difficulty, that they are going to work out some amendment; that if the governor under those circumstances refuses to act, there will be another way the appointments will be made; and the majority of replies we got from lawyers in Kansas City are that they are still for the plan in Missouri. So I am opposed to this amendment.

MR. DEPEW: If there is no further discussion, we'll vote on the substitute motion. All those in favor say aye. Opposed say no. The noes have it and the substitute motion is lost. We will now vote on the original motion. All those in favor say aye. Opposed no. The motion is carried and the report is adopted.

The next is Standards for Title Examinations. Is Mr. Weltmer here? Mr. L. E. Weltmer, Chairman.

STANDARDS FOR TITLE EXAMINATIONS

MR. WELTMER: Mr. President, members of the Association and guests. At the October meeting of this Committee on Standards for Title Examinations, it was determined that there was general demand for a statute permitting the transfer of property from an individual to himself and another without the use of a conduit or a straw man. Your committee therefore submitted such a bill to the legislature which has been enacted as 1955 House Bill 442 to take effect on publication of the session laws, so that when it is effective, the straw man can be safely eliminated, and this is of course as reported to you by Mr. Boddington.

We have had very few recent suggestions from the Bar. Some new standards are under consideration, but none are so formulated at this time that there is an agreement in the committee to submit them, so none are offered at this meeting. The title standards are becoming standard, and it is not the idea of the committee to suggest changes or additions just to have some activity. Any changes or new standards, in our opinion, should be well considered. Your committee wants to consider any suggestions you have

and your cooperation is invited to send items for consideration to the new chairman of this committee well ahead of the mid-year meeting of the committee next Fall. We have not been able to contact all of the members of this committe at this meeting, but this report is submitted by Hugh Brownville of Kansas City, Auburn Light of Liberal, Grover Jones of Wichita, Lloyd Ruppenthal of McPherson, John O'Brien of Independence, Paul Royer of Abilene, L. Branine of Hutchinson, Randolph Carpenter, Topeka, Margaret McGurnaghan of Topeka, L. M. Cornish, Topeka, and Don Lang of Scott City, and by me.

I move the adoption of the report. (Motion seconded and carried.)

MR. SHUART: It might be appropriate here to make an announcement regarding our policy on these title standards. As you know, you were all issued a title standards book in 1953, and last year there was a supplement that went with it, and there would be another supplement this year, if there were any changes. Those copies are all to go to you as members and at no charge. If you need an additional copy, you may purchase one at $2.00, and for your information, they have not been sold to non-members in the state. We do have some inquiries and calls from outside of the state, and we do make them available to them for $5.00, but that is something that goes to you as members, and should you not have your supplements or for any reason you did not receive the original, of course, we will supply you with one; but you may have an extra one for your office or your home for $2.00.

VOICE: Mr. Chairman, maybe I'm out of order but I recently ran into a situation here a few days ago. It looks to me as though we need a change on our title standards, a curative act by the legislature where people have been in possession of land undisputed for 30 or 40 years, that you can't go back of that time. We sold a little tract of land down there at Marion for two thousand dollars, and the abstractor built up a bill of $886.00 for abstracting. Now, the parties that were selling this land have been in possession of this for 50 years, just a few days ago. Now, I am offering that just as a suggestion, if I am not out of order at this time.

MR. DEPEW: We are glad to have a suggestion like that.

Now, there are two more committee reports on here, but probably will be some discussion and we know that the chairmen will want to present them, so I am going to announce now that the report of the committee on public relations will be received at our session at the hotel tomorrow morning, and also the report of the taxation committee, hoping that Mr. Mark Bennett, the chairman of that committee will be here because I am sure that he will want to be present. Those two reports will be heard tomorrow. The only other committee report we'll hear today is a short report of the committee on Uniform Commercial Code Study. It's short and I will read it.

UNIFORM COMMERCIAL CODE STUDY

"This special committee was created by the Association at its annual meeting in May 1951, to study the proposed Uniform Commercial Code. Each year the committee has reported to this association at its annual meeting the developments that have taken place with respect to the proposed code. This report is therefore only a further progress report.

"The Uniform Commercial Code has been enacted into law in the State of Pennsyl-

vania where it went into effect on July 1, 1954. To date, it has not become effective in any other state.

"The battlefield for the adoption of the code study centers in the larger commercial and industrial states. Much work has been done on the code in the State of New York and the same is before the legislature of that state for action.

"The code was not presented to the 1955 Kansas Legislature. The committee still adheres to its previous view that while the code is a monumental work, it can not have a practical utility in Kansas until it has first been accepted and enacted into law in the larger, commercial and industrial states, such as New York, Massachusetts, California, Illinois and Michigan, in addition to Pennsylvania.

"The code study continues to be a subject of much discussion in Bar Association Journals and other legal and commercial publications, to which your attention is directed.

"In 1953, the Kansas Legislature appropriated $3,000 for the purchase of copies of the Annotated Uniform Commercial Code for distribution to members of the legislature and other interested parties. Copies are still available to any interested member of the Bar and requests for copies should be made to Mr. Fred E. Gulick, Secretary of the Kansas Commission on Interstate Cooperation, State House, Topeka, Kansas.

"As this Committee is a special study committee, presumably the work of the committee will not be finished until final action is taken on the code in this state. Under these circumstances, the committee recommends that this special committee be continued for another year.

"Respectfully submitted, William A. Kahrs, Jack L. Goodrich, Charles D. Stough, Steadman Ball, Fred Gulick, and Melvin Buck, Clayton Brenner, Basil W. Kelsey, Thomas E. Joyce, F. C. Bannon, ex officio, and Stanley E. Toland, Chairman."

Will someone move the adoption of that report? (Motion made, seconded and carried.)

The program tomorrow will consist of the reports of the two committees that I mentioned, and we will also have a report that I know you will all be interested in, which is the report of our Association Delegate to the American Bar Association Mr. George Powers. He will tell you tomorrow what goes on and what he has seen there during the past year; and we'll also have a panel on Integrating Local Bars into the State Bar Program. That will be presented tomorrow morning, along with the report of the Resolutions and Nominating Committee; and I want to repeat again, that the convention will terminate with the noon luncheon at which Mr. Burch, Associate Editor of the Chicago Daily News will make the talk about the Press and the Bar and the relations between them. Meeting adjourned.

SATURDAY, MAY 21, 1955—BALLROOM, BAKER HOTEL

PRESIDENT DEPEW: Ladies and gentlemen, the final business session of the convention will come to order. We have left over, two or three committee reports, and we'll hear first from the Committee on Public Relations, the Chairman, Judge Wallace.

JUDGE WALLACE: Mr. President, and members of the Bar. Our report this year, I do not feel is very controversial. Perhaps we could dispense with it entirely; but maybe there

is something in it that would be worthwhile to you; and therefore, I am very happy to make this report on behalf of the Public Relations Committee.

PUBLIC RELATIONS

Public relations is a constantly growing problem for lawyers. Much progress has been made in the last few years, but much more remains to be done. It is such a problem because lawyers are loath to do anything about it. Habits and customs of preceding generations are strongly entrenched. The world, however, is a fast and ever-changing world. Youth are entering the profession, and youth must be served. Thirty years ago bankers refused to loan money on an automobile; but today they compete to finance every automobile on the road. The League of Nations was rejected, but today 67 nations are in and working for the United Nations. Life, government and business are now so complex that the ordinary individual can no longer survive unassisted. Complexities have developed faster than comprehension. People are looking for a Moses to lead them through the wilderness. To whom shall they turn—the realtor, the abstracter, the banker, the accountant, the internal revenue bureau, or a notary public? It could more generally be the lawyer if people had confidence and were informed as to the many services which the legal profession by education, training and experience is qualified to render. How can the public be informed and supplied with such knowledge? Certainly not by the individual lawyer hiding behind a sunflower and conniving and hoping for a free ride at someone else's burden or expense. The most practical, sincere and honest method would be by the lawyers themselvs acting boldly and professionally through their duly organized bar associations.

The State Bar Association has a well-considered program for improving the legal profession and informing the public. Remember, in essence good public relations is simply good performance publicly appreciated. All lawyers must work at it all the time. A well-respected profession will receive more business from the public because it enjoys public confidence. Public confidence is measured by public service. The lawyer can no more disassociate himself from the laws and procedures of his state than can the mechanic from the tools of his trade. Compare the modern garage or appliance shop with those of a generation or even a decade ago. The service of the legal profession is justice. Justice delayed is oftentimes justice denied. How often do clients waive injustice entirely or settle for half their just compensation claims rather than undergo the interminable delays of the law.

Your public relations program points the way for less delays, speedier justice, uniform formalities and decorum, and the improvement of your laws and procedures. As the chain is no stronger than its weakest link, so is the organized bar dependent upon its individual members and its local bar units. The time for action is now. Follow through on the Bar Letter of April 22nd, and I'm sure that we will find great advancement in our public relations program.

As the legal profession commences and progresses upon a program for the internal improvement, and such is most necessary, then may it with some right and confidence in itself seek public approval. Then may it justifiably seek to inform and educate the public as to the value and economy of trained legal service.

For several years, and at the present time, your association has been and is supplying

an informative series of pamphlets. These are of value only when distributed to the public. Those of you who have not obtained and distributed these pamphlets are not getting value received from your association dues. In 1954, the Minnesota State Bar distributed in Minnesota 420,000 pamphlets, an average of 35,000 per month. Kansas pamphlets are quite similar in appearance and in content. Most state and local bar associations are using them. Pamphlet racks for display in banks and attorneys' offices are available and most helpful. Improvement of lawyer relations with newspapers is very necessary. How else can the majority of local bar associations generally inform and educate the public? Of course, partially by pamphlet and by radio and TV within their respective fields. But from time immemorial, the newspaper has been the accepted medium for news and for business. Informing and educating the public as to laws and legal services is the business of the legal profession.

The canons of professional ethics sanction institutional advertising of informative and educational character by the bar associations. For public service and the financial benefit of individual members, local bar associations can well afford to engage in such a program. The Public Relations Committee in February of this year prepared and submited to the membership by Bar-Letter, "A Statement to Newspapers From the Lawyers of Kansas." It met with a favorable response from the lawyers and is well-worthy of local bar action. Newspaper people are an important segment of the public and can be of great assistance in carying forward our program.

The association's "School Program," wherever tried has worked well. Apparently, its lack of general acceptance is not due to any lack of merit in the idea or the program itself, but only to procrastination and lack of leadership in local bars. Whatever the cause of inaction to date, the program is worthy of the time and consideration of every lawyer wherever located. Without any expense, except time, it provides the best possible forum for molding in young minds favorable impressions of the law and the legal profession.

Better public relations are attained by most all activities of the state and local bar associations. It is indifference and inactivity that breeds poor or bad public relations. The recent action of the Wichita Bar in hailing three lawyers before the Board of Bar Examiners for alleged unethical or illegal conduct is certainly good public relations. The opening and maintaining of a legal aid office, as the Topeka Bar has done for the last two years, is good public relations. It is an organized effort bringing credit and good will to the legal profession. Every local bar that makes an organized effort to eliminate legal delays, provide uniform decorum, improve laws and procedures, and keeps the public informed will likewise be engaging in good public relations, producing good will and reward for the legal profession.

Respectfully submitted,

JEROME HARMAN
JOHN E. BLAKE
VERNE M. LAING
J. DONALD LYSAUGHT
PAUL R. WUNSCH
THOMAS D. HAMPTON, JR.
RICHARD A. BARBER
R. A. HICKEY
ROY C. DAVIS
ROBERT L. MARIETTA
GEORGE BARRETT
HERMAN W. SMITH, JR.
ELDON SLOAN
D. B. LAING, *Ex Officio*
CLARK A. WALLACE, *Chairman*

Mr. President, I move the adoption of this report.
(Motion seconded and carried.) (Applause.)

PRESIDENT DEPEW: I think most of you know that what effort I have contributed in the way of public appearances and the few articles written during my administration have been based on the theme of improving and advancing our public relations program; and I am sure that many lawyers in the state are beginning finally to give some thought to it, and I know that a number of the local associations are taking it up and I am satisfied in another year that there will be a lot more progress made; and I, too, want to thank this committee particularly.

The next report we'll hear is from the Taxation Committee, Mark Bennett, Chairman.

MR. BENNETT: Mr. President, members of the Kansas Bar Association, I might suggest in starting that I think probably a fine demonstration of the efficacy of Judge Wallace and his committee is the fact that yesterday I understand most of the Bar Members, or members of the Bar Association of Kansas, were some six or seven hundred feet under ground, and as far as I can learn this morning, all of them got out. I think that is a real demonstration of the peoples' opinions of lawyers today as compared to what they thought of them only a few years ago.

TAXATION

The Committee on Taxation begs leave to make the following report:

1. For the past several years your Committee on Taxation has recommended to the Association, and the Association has adopted a recommendation to the Legislature for the equalization of the assessment of real property in Kansas. In last year's report we called to the attention of the Legislature that the ratio of assessed value to actual value in the state was 23%. Breaking this average down into rural and city properties, we reported, in pursuance of a study made by the State Commission of Revenue and Taxation, that the average assessment of rural properties was 26% and the average assessment of urban properties was 19% of their actual value in money.

The Kansas Citizens Commission on Assessment Equalization also reported to the Legislature their recommendations for legislation that would correct this situation. As a result of that report, 1955 House Bill No. 236 was introduced by the House Committee on Assessment and Taxation. The bill provided for the creation of county-wide assessment districts; changed the date of assessment from March 1st to January 1st; provided for the appointment of a county assessor by the Board of County Commissioners of each county; provided for the appointment of deputy assessors, leaving out the township trustees as mandatory deputy assessors; provided for the powers and duties of such assessors; provided for the appointment of an advisory committee representing various economic interests to assist in establishing unit land values; provided for the assessment of property at 50% of its actual value in money in lieu of a theoretical 100% at which it had been assessed in the past; provided that in the event the assessment of public service corporations was reduced materially as a result of this new assessment, that the assessment of such public utilities *could not be less than 95%* of the preceding years's assessment in the years 1956, 1957, 1958, 1959, 1960 and 1961.

Various other provisions were included in the act to bring about a more equal assess-

ment of property, leaving the primary jurisdiction for such assessments in the local unit of government—the county. This bill passed the House without any difficulty but was materially amended in the Senate after opposition had been voiced to the bill before the Senate Committee on Taxation by various groups, including the County Clerks' Association, the Kansas Stockmen's Association, and others. A completely watered-down version of the bill was passed on the theory that the Legislature will attempt the enactment of the other provisions of the bill one step at a time.

Under the foregoing circumstances we again recommend to the Association that we go on record as recommending to the Kansas Legislature the enactment of the necessary legislation to bring about a more equitable assessment and equalization of property for taxation in Kansas.

2. We have heretofore, in our report last year and the year before, recommended that this Association go on record as recommending to the State Legislature that the ton-mile tax in Kansas be preserved. The Legislature in the last session repealed the Kansas ton-mile tax. The reason given for its repeal by the proponents of repeal was less book work for the trucker and that the ton-mile tax was being paid disproportionately by interstate and intrastate carriers. The argument was that intrastate carriers, those trucks operating solely within the boundaries of Kansas, were escaping payment of the ton-mile tax by failure to report; that the large interstate carriers, such as P.I.E., were paying their full ton-mile tax since a check was had on P.I.E. when it entered and left the state through the port of entry, and no such comparable check was had on the strictly intrastate operator. The substitute for the ton-mile tax as provided by the last Legislature was a bill increasing the license fees of all trucks operating in Kansas. This increase in license fees is represented to produce the approximate three and one-half million dollars heretofore produced by the ton-mile tax. This of course will shift a large portion of the tax to the strictly intrastate operator and take it off the backs of the large interstate operators, such as P.I.E. and other large interstate motor carriers.

Another objection made to the ton-mile tax was the difficulty of entering into reciprocity agreements, whereby a Kansas operator, operating in Oklahoma for instance, could be excused from payment of the Oklahoma tax upon Kansas allowing the Oklahoma operator in Kansas to be excused from payment of the ton-mile tax. It was the theory of the proponents for the repeal of the ton-mile tax that it will be much easier to enter into such reciprocity agreements, excusing the interstate Kansas operator from paying taxes in other states for the use of their roads and excusing the operators from other states from paying the tax in Kansas for the use of Kansas roads. As these reciprocity agreements are entered into, they of course will reduce the payments made to the State of Kansas by interstate operators from foreign states but the deficit can be made up by an increase in license fees on the strictly Kansas operator.

3. Your committee had some discussion relative to the advisability of requiring the payment of personal property taxes on automobiles at the time application was made for a license tag. This particular propostion had not been submitted to the Association and naturally the Legislature was not familiar with our committee's views on the matter during the session. However, the Legislature did adopt House Concurrent Resolution No. 10 to submit a constitutional amendment to the people of Kansas in 1956. This constitutional amendment would amend Article 11, Section 1, of the Kansas Constitution to include automobiles in the special classifications, exempt from the uniform and equal

clause, along with mineral products, money, mortgages, notes, and other evidence of debts. Your committee recommends the Association go on record as being in favor of the passage of this constitutional amendment.

4. In the field of state income taxation your committee recommends that a study be made of the Internal Revenue Code of 1954 as compared with our present Kansas income tax law for the purpose of amending the Kansas law to correspond to the Federal law. At the present time there are so many differences between the Kansas and the Federal income tax laws that the determination of net taxable income involves two different computations. The Kansas law as originally enacted followed the Federal law, but in recent years the Kansas law has not been changed to follow Federal law in every respect. The enactment of the Internal Revenue Code of 1954 has changed the Federal law in many ways, leaving the Kansas law unchanged. The administration of the Kansas law has been adjusted to conform to several of the Federal changes, but many of the differences are such that changes in the Kansas law are necessary. Your committee believes that the application and administration of the Kansas law would be more efficient if it is amended to correspond to the Federal law.

One difference that has been brought to this committee's attention is the provision in Federal law permitting an estate to deduct administration expenses either for Federal Estate Tax purposes or for Federal Income Tax purposes. Kansas law treats executor's commissions, attorney's fees, court costs and certain other expenses as chargeable against corpus and therefore not allowable as deductions for Kansas income tax purposes. Your committee believes that it would be desirable to have the Kansas law amended so that an estate could elect to deduct such administration expenses either for Kansas income tax purposes or for Kansas inheritance tax purposes so that it corresponds with Federal law.

We therefore recommend the adoption of the following resolution:

BE IT RESOLVED by the Bar Association of the State of Kansas that,

WHEREAS, there are now many differences between the Federal Income Tax laws and the income tax laws of the State of Kansas; and

WHEREAS, it is desirable that both laws shall have corresponding provisions in order to assist in the efficient administration of the Kansas law and to avoid differences which complicate the preparation of Kansas Income Tax returns.

NOW THEREFORE BE IT RESOLVED by the members of the Bar Association of the State of Kansas in annual meeting on May 19, 1955, that said Association favors and recommends the adoption of legislation to correlate the Kansas Income Tax law with the Federal Income Tax law in order to eliminate the differences now existing; and

BE IT FURTHER RESOLVED that such legislation should include a provision to permit an estate to elect to deduct, either for Kansas Income Tax purposes or for Kansas Inheritance Tax purposes, the expenses of administration including executor's commissions, attorney's fees, court costs and other administration expenses so that the Kansas law will correspond with Federal law.

Upon the adoption of this report, or those parts of the report which are adopted, your committee requests that the Executive Secretary of the Kansas Bar Association be instructed to submit such recommendations to the proper committees of the State Legis-

lature as to proposals relative to state laws, and to the Kansas delegation in Congress as to proposals relative to Federal laws.

Respectfully submitted,

H. JAY GUNNELS, JR.
HAROLD R. SCHROEDER
PHILIP H. LEWIS
JOHN BUEHLER
HENRY H. ASHER
OSCAR F. BELIN
EUGENE P. ZUSPANN
FRANK LIEBERT
ELMER E. EUWER
ALEX M. FROMME, *Ex Officio*
MARK L. BENNETT, *Chairman*

Mr. Chairman, I move the adoption of the report.

PRESIDENT DEPEW: Is there a second to the motion?

MEMBER: Second.

PRESIDENT DEPEW: Is there any discussion?

FRED CONNER (Great Bend): Mr. President, why is it not feasible for the Kansas income tax to be a percentage of the Federal income tax, and let it go at that?

MR. BENNETT: Mr. Belin will you answer that question? He is a member of our committee.

MR. BELIN: I think there are states which have adopted that plan, which have accomplished, in effect, that result. I think it could be done.

PRESIDENT DEPEW: Mr. Corrick.

MR. FRANKLIN CORRICK: The Kansas Legislative Council considered that plan a year ago. We thought as long as we made it permissive and not mandatory it might be constitutional, but about the time the bill was being drafted the Congress completely revised the Federal Code and took out some of the provisions that we were writing our law to, the basis, that is, and made it impossible for us to go ahead with the percentage income tax plan.

PRESIDENT DEPEW: Mr. Martindale.

MR. MARTINDALE: I just wonder if the date shouldn't be changed to the 21st instead of the 19th?

MR. BENNETT: There was some question in my mind as to whether it should be the date of the starting of the meeting or the date of the report. I don't know. I would like to be instructed.

MR. DEPEW: I don't know either.

MR. POWERS: If we adopt the report, does that adopt the resolutions within it?

MR. DEPEW: It adopts them as resolutions of the Association, following the recommendations of the Committee. The date, then, will show as the 21st.

If there is no further discussion, we will put the motion to a vote. (Motion carried)

On our program now we have a panel discussion on "Integrating Local Bars into the State Bar Program." And that panel is in charge of Judge Wallace. Judge Wallace will you come up and bring your panel with you?

INTEGRATING LOCAL BARS INTO THE STATE BAR PROGRAM

JUDGE WALLACE: Members of the Bar Association, I would like to introduce to you the members of our panel.

Immediately upon my left is Charles E. Jones, former president of the Wichita Bar Association. (Applause) And on his left is Art Dillingham of the Salina Bar. (Applause) And on the extreme left is J. Donald Lysaught of the Wyandotte Bar. (Applause)

As the chairman stated to you, the subject of our panel discussion this morning is "Integrating the Local Bar Into the State Association."

Now, as most of you know, the State Association in Kansas has had a Public Relations or a Public Service program in progress for five years. The committee was originally activated by Judge Vance in 1949 and made its first report to the Association at Wichita in 1950. At that time we made about three or four recommendations which we are still following. We have added a couple of points to our program since that time and have been during all of this period trying to implement the program and to get the individual lawyers of the state activated in its behalf.

We've tried this and we have tried that, and I presume there would be very little argument as to lawyers being individualists, and being loath many times to accept changes of their practices and their customs.

Throughout the studies that have been made, it seems apparent that in order to properly get the program in operation and to achieve some results by it, it must be through the individual lawyer and his local bar association.

Now there can be no doubt but what the individual lawyer is the fundamental basis of any public relations or public service program; and consequently public relations must start with the individual lawyer. But there are many things that the individual lawyer cannot do himself, and must do through a local organization, and each local organization must tailor the projects, or the service which it renders, to its own location and to the problems that are immediately presented to it.

I think that all the lawyers several years ago received this six-point program and they have been sent out by John Shuart from time to time since the original printing of it. This program, so far as the individual lawyer is concerned, has been adopted by this association and has been copied in part in other states, so we feel that it is something worthwhile for the lawyers to consider.

This program which we present to you is based first upon the internal improvement of the Bar; and after we have at least commenced to improve the Bar generally, then we have something to go to the public with and to ask their cooperation on, and seek their confidence in the legal profession.

We have set up, as I say, these six points in our program, and the first and most important point, I think, to the legal profession, is the elimination of legal delay. Educators, jurists, prominent members of the Bar throughout the United States have been harping upon that proposition for years. So that I don't think there could be any question but what that is one of the principal things to be considered and worked upon by the legal

profession at this time. Before we proceed any further, may I state that if any of you at any time have any questions that you want to direct to the panel, we'll be glad to try and have one of the panelists answer it for you.

Now, to get into the discussion itself. Considering the first point of our program may I ask Charlie how will speedier justice and the elimination of legal delays benefit the lawyer financially?

MR. JONES: Judge, that's a pretty broad question. At the outset I should say for the benefit of the panel and the rest of you that this program is completely unrehearsed and anything that we say is our individual ideas and thoughts and not necessarily binding on anyone.

I feel, myself, that it is beyond argument—the financial benefits that the lawyers will receive by speeding up justice. I think it's a matter of turnover. The faster you turn it over, the quicker it comes in. Some lawyers say the faster you turn it over, you don't do it so well. I disagree with that point of view. I have no trouble with the conclusion that speedy justice is good, just as good as sure justice is good. The thing that bothers me, is how do we speed it up? On that, of course, we have two phases of it: We have speed that you find through a law office, which involves a lot of justice, too. In other words, much controversy never reaches the court. I imagine 95% of all the law that is handled in Kansas never even sees the inside of a court room. So it's a lawyer's individual responsibility to get that work out when he says he'll have it out. That's where it comes back to us on a local level. That's something we as individual lawyers can do something about.

The other kind of speed—that we hear so much about, and where we receive the greatest criticism, of course, is in the courts. From my own personal experience, having been in courts that are divided into several divisions, and I am not really competent to speak about speed where you have one district judge. My thought has always been that the judge himself is the one person who can do something about that, and probably the only person. No individual lawyer can do much about it. If the judge doesn't do it, the only other hope I would see would be for the local bar association to do something about it, try to enlist the judge's cooperation and tell him some way to speed the thing through his court.

In Wichita, in the multi-divisions, we have had a successful experience over a period of years. The Bar Association has worked with the judges. Back in 1926, I think, they put in four divisions, and those were never increased until recently and they used the same old-fashioned method of having each judge try his own cases—each judge acting independently of the other judge—even though they are all in the same district court. At various times committees were appointed to try to take care of this situation. Finally, I think about a year ago, a committee of the Bar was appointed, and the president used very good judgment in appointing lawyers who had had lots of trial experience and not only studied the Wichita situation, but studied the situation throughout the entire United States. They came up with an assignment plan. I can't go into the details of that. It was with some reluctance that one or more of the judges accepted it. I mean some of them didn't feel it was the right thing; but now after about two months of operation, from what discussion I have had with the lawyers generally and with one of the judges, they

think the system is going to be a tremendous success. That thing couldn't have been accomplished ten years ago, I do not believe, because it was a matter of Bar Association work with the judges on the bench.

JUDGE WALLACE: Don, do you think that local Bars, in cooperation with the local judge, can eliminate many practices that now cause legal delays?

MR. LYSAUGHT: I don't think there's any question about that, Judge. The only question is how? I think—here again, I'm like Charlie, I don't have the perspective that the lawyers have who are in a district where you have one judge, or maybe in a multi-county district with one judge. In our district we have a weekly motion day; and these dilatory motions can't be dilatory beyond a seven-day period if opposing counsel wants to get them up and argue them.

One point, in the Bar Association's thinking on this subject, was fewer motions. Well, I don't quite agree with that. I would state it, better motions, because many motions are good. There's a reason for them, but they shouldn't clog up the docket. When they don't have merit and what they really want is a few more days to plead, instead of picking up the phone and calling opposing counsel and saying, "Look, I want three or four or five more days," they file a motion to quash service of summons. Absolutely no grounds for it. You go over to the court room, you are all prepared, it's listed on the motion docket, the other lawyers come in and they see so many motions on the docket above theirs, they think, "My God, I'll be here all day, pass my motion until next week." So the docket gets heavier.

I think by confining motions to motions that really have value and taking care of these other matters between lawyers where you actually need additional time, there again, getting back to Charlie's proposition, that is something that individual lawyers can take care of. It's a situation that can, and has in some places I know of, gotten out of hand. It becomes automatic with some lawyers on every case to ask additional time to plead. No matter how simple a case it is, how routine it is, they can't file any pleading within the time established by statute, so that the thing pyramids and then of course opposing counsel takes care of them this time, and then they are indebted to opposing counsel; and it builds on itself.

I think one thing that can do a lot where there are a number of cases pending is a real sound docket call. Now we have docket calls where they call as many as two or three hundred cases. Some of those cases have been on file since, I expect, around in the 30's; but the first of the term they call the docket. The plaintiff's lawyers on every case announce that they want to try them, so they go on the trial docket. They have absolutely no intention of trying the case, but the case is there at the head of the docket; and a case that you really want to try, you look at your trial docket, you're 20th on the list of jury cases for trial in a particular division. You don't know what to do; and then these cases start going off, one by one. There is no reason to give a false sounding of the docket. That should be the individual responsibility of the attorney. He should not announce a case for trial unless he is going to try it, and particularly term after term to announce a case for trial when maybe the party has been dead for ten years. But it does happen.

I think another thing that can be done—the thing that we are trying to do down

there—is more use of pre-trial. Under what we have now in the Kansas law—we can't go too far, it has to be rather up to the individual personality of the presiding judge. If he can get the cooperation of the lawyers, fine. He can't force them. But you can save a tremendous amount of time with the proper use of pre-trial. If the judge will conduct it right, and the attorneys will cooperate, it can be made to work, even under our system, and anything is better than nothing.

JUDGE WALLACE: I take it that you think that considerable delays are caused by one lawyer simply trying to accommodate another lawyer sometimes, is that right?

MR. LYSAUGHT: That's right.

JUDGE WALLACE: When maybe it's unnecessary.

MR. LYSAUGHT: You like to be a good fellow, but the overall result of it is that you just keep your whole system slowed down.

JUDGE WALLACE: Now here in the last few years particularly we have had quite a campaign on trying to get adoption of some federal rules. Art, do you think that the courts and the lawyers themselves could, in a local Bar, adopt some local so-called federal rules that would give us some of the benefits of federal rules even before we get statutory authority for it?

MR. DILLINGHAM: Well, of course, the rule that we'd most like to adopt would be the right to take depositions of all parties in the law suit, and that can't be done without the passage of a statute. However, certainly pleadings could be simplified in the district courts and on down in the lower courts as well. We all know that as to some of these motions that are filed, the court requires amendments that take a great deal of time and then motions to strike and so on. If the whole pleading could be simplified, it would certainly speed things up.

JUDGE WALLACE: Don mentioned pre-trials. Do you practice pre-trial procedure much in Saline County Court?

MR. DILLINGHAM: It has been done very seldom there. Our judge doesn't encourage it too much, nor does he ask for it. We have a single division, of course, and our judge has four counties. However, we are not bothered with a heavy docket like Kansas City and Wichita, and I feel that our procedure in Saline county is fairly rapid.

JUDGE WALLACE: Charlie, do you think that the lawyers in Sedgwick county could probably greatly influence your courts there in effecting speedier justice in providing the cooperation that Art speaks of?

MR. JONES: Oh, I think so, I think they have already proved that point. I believe the Wichita situation is going to straighten itself out. I am not too competent to speak myself, since my experience is limited, but if I understand the trial lawyers there, our problem has been one of getting the case tried, not the preliminary matters. They were always at issue in plenty of time, they just didn't get them tried. It was several years before you'd get a case tried. I think the problem was that you would have one judge reading a book, and the other judge working, and now they've got all five judges, all six judges shortly will be working simultaneously. When one judge is free, the assignment judge puts another case before him.

JUDGE WALLACE: Now as to point 2, uniform formality and dignity of procedure, and the like. Art, you have a multiple-county district, what experience have you had up there and what are the results that you think you've obtained with reference to point two?

MR. DILLINGHAM: Well, we have had very good luck with getting our judge robed. It took a little time, of course. There was so much scoffing connected with wearing a robe. You would have thought you were putting a halo on the fellow or something—they were so timid about it. Finally our local Bar Association voted to buy our judge a robe and we presented it to him with our compliments and told him we thought it would look fine on him and that we would like for him to wear it when he had court room cases, and especially jury cases. Our judge has worn that robe and it's becoming. There's nothing spectacular about a robe, you know. The preacher wears one on Sunday, and the higher court justices wear robes, and I think it's a relatively small request to make upon a judge. I don't see that anything but false modesty would keep him from wearing a simple garment when he sits on the bench. I think it does add a degree of dignity to the procedure, and by the very wearing of that robe, it sometimes quiets the excitable judge. I think if you put a robe on a judge who is a little bit nervous he settles down a little bit. I think it casts him more in role and I believe that if the judge is so set apart, then the lawyers practicing before him recognize that dignity—and they try to be a little more dignified in the presence of the court.

JUDGE WALLACE: Do you think the public appreciates what you've done there?

MR. DILLINGHAM: Well, I don't know whether the public appreciates it; but it isn't there necessarily for purposes of appreciation. It does add a little dignity to the judge sitting on the bench. He is garbed different from the lawyers before him, and I believe that it does impress those people who are watching the proceedings.

JUDGE WALLACE: Don, have you done anything about point 2 in Wyandotte?

MR. LYSAUGHT: Yes and no. Of course there are several facets to that. With regard to the robe, it was discussed at our Bar Association meeting, and a younger member of the Bar arose and addressed a motion to the Chair that the Association buy robes and present them to each of our judges; thereupon, our presiding judge arose and stated that regardless of how many robes were purchased, they would never get one on him. Well, the other judges won't go contrary to that view.

JUDGE WALLACE: You have a judge problem, then.

MR. LYSAUGHT: It's an individual problem, yes. I think that were it not for that, our judges would be wearing robes. I think it would be a fine thing if they did. The report we had from the gentleman from Wichita yesterday who made the survey on juries in the 10th Circuit indicates that. I had an indication of it not long ago. A man I know from Kansas City came up to me and said, "Don, how do I get on the federal jury?" I said, "Well, why do you want on the federal jury?" He said, "I sat on the state jury here a while ago and it isn't much like court ought to be, and I understand down there in federal court they really know how to run a court and I want to see them." There was a layman, not a professional juror by any means. He's a fine man, an outstanding leader in the community, and there is the difference between the two courts, and it's made up

of a number of little things: The robe in and of itself may not mean much, but it's part of the general picture, and the public still looks to those courts as their courts and they want them to look the way that they visualize them, and I think they should.

JUDGE WALLACE: Right along that line, I would like to suggest a fact that my reporter called my attention to several days ago. Not very long back, federal court was sitting in the same town where they have the district court sitting most of the time. A junior college class came down to visit both courts, one on one day and one on the other. The local instructor told my reporter that after they had visited both courts, he took it up with them, as to what they thought about the formality and dignity of procedure in both courts and which they preferred. He said that 90% of those junior college students favored the federal formalities and dignity of procedure. If it appealed to young people, it undoubtedly appeals to older ones and might be worth considering.

Charlie, what are you doing down in Sedgwick on it?

MR. JONES: I am embarrassed that my own personal opinions have been reversed on that. I never could see originally how you could, by the use of a robe, dignify an undignified judge, but I have changed my mind on that. After a period of years I don't look at the judge individually, and I think it's a good thing. I think of the lay public instead of the judge. After all, the lay public don't understand the judges like we do. And if you put a robe on him, they won't know the difference. (Laughter) I didn't mean to be facetious about it. I think it's a good idea. I think they ought to have robes on them any time the public's there, which is at least when you have contested divorce cases, jury trials, and things of that sort. We have not done it in Wichita. The thing was brought up and it died some place. George (referring to Mr. Powers), what happened to that? I thought that two or three of the judges wore them down there for a time. I don't know. We are not doing it now, and we ought to check into it and see what's wrong.

JUDGE WALLACE: I think it's something worthy of consideration for each of the Bars, particularly the larger Bars of the state.

Now as to the Point No. 3, Law and Procedural Improvement. I think most of you know that just recently we have, within the last year, had a committee appointed to go into that, and that committee has done a wonderful job. I am wondering what some of the panelists think about the lawyers engaging in improvement of laws and procedures and what lawyers might accomplish by actively getting into that.

Charlie, what's your oinion on it?

MR. JONES: Well, I'm very much in favor of that, and this year was the first time it was ever done by the State Bar Association, so far as I know, and I think it's a great step forward. The general public certainly holds the lawyers responsible for what the laws are and how justice is administered. Whether we do it or not, most people think we constitute the legislature. They don't know that a large majority of the legislature is farmers and business men, and they don't know in many instances that those members of the legislature resent us when we have members there. Well, this is a chance to really get together with those boys. It also forms a great clearing house. I just want to quote this statement from a fine judge down in Texas on just the idea back of it: "The public holds the legal profession responsible for what it conceives to be the shortcomings of

the administration of justice, for we are the only group that professes to be learned in the law." I think that statement is terrifically true. The average layman holds the lawyers responsible for what the laws are. If we've got that responsibility cast upon our shoulders, then I think we should assume it and go forward with it.

JUDGE WALLACE: Don, this Committee on Improvement of Law worked on a number of laws and then polled the Bar and members of this association on whether or not the proposals should be adopted and submitted to the legislature. A great majority of lawyers were favorable to all. Only three or four, I believe, of 13 proposals got by the legislature. Do you have any suggestions as to what the reasons were or what the Bar might do to further its program in that respect?

MR. LYSAUGHT: Well, of course, I guess nobody outside of the legislature would know some of the real reasons for these things, why particular bills did not go through, even though a tremendous majority of the Bar voted in favor of them. I think there are several things that can be done to correct the situation. This time I think perhaps we started a little late. It's nobody's fault. It's a new thing. It has never been done before and you have to start somewhere. We did get on some of these proposed bills a tremendous response favoring them. Some of them died, as I understand it, in the Senate Judiciary Committee. I don't know, I haven't talked to any member of the Senate Judiciary Committee on just why they did die. Some of the members of this committee, I am very much surprised that they didn't get behind these bills, particularly the procedural reform bill. I think the background is that we should tell and explain to the lawyers what can result from that, how it's going to help them, and then be sure that in the process of selling, we sell the attorneys who are members of the legislature. Attorneys go up there and represent everybody else and look and work for favorable legislation for their clients and they don't get around to doing the job for themselves. I think that we should contact every lawyer member of the legislature, charge them with the Bar Association's responsibility for getting our bills through and give them a double load to bear. There has to be something done on some of these laws to be sure that there is continual pressure behind them. I think that our committee on prospective legislation under Ed Boddington has done a good job and will continue to do a good job.

JUDGE WALLACE: Art, do you have any suggestions to make as to how the law members of the legislature might be further integrated into the Bar Association?

MR. DILLINGHAM: I think maybe some of the lawyers in the legislature should be brought before the Kansas Bar Association, and perhaps explain to us why they forget their affiliation with the Kansas Bar Association when the legislature convenes. They act like they're anything but members of the Bar Association. Perhaps they are remembering a client here and a client there, who does not want some law passed that the rest of the lawyers want. I would say that Judge William Kandt of Wichita has been a very impressive force in working for the Bar Association and that our Executive-Secretary, John Shuart, has done a wonderful and a conscientious job on legislation. I do believe, though, that, as Don suggested, we should get the lawyers who are in the legislature and say, "Now, listen boys, you are a lawyer and you are a member of the Bar Association of the State of Kansas, and you represent us, too. Don't just forget that you're a lawyer when you get in the legislature."

JUDGE WALLACE: Charlie, do you have any thoughts as to how lawyers themselves, just individual members out over the state, might help this procedural committee to function even more than they have in the past?

MR. JONES: Well, other than to repeat that this public relations deal starts at the local level. Again, we have some 50 local Bar Associations throughout the state. Perhaps we need more. These ideas on new legislation normally, I think, would originate at the local level and if they passed their ideas on they would find their way to this committee, then to the legislative council, and finally after all the chaff is taken out, the wheat would get before the legislature.

JUDGE WALLACE: As I understand it, this committee would like to have lawyers submit proposals to them as to changes and amendments or anything in connection with improvement of laws and write a little brief to explain their position. They think that would be very helpful to them in analyzing your proposal or request, and of course the worth of this program depends entirely upon the cooperation that it gets. Perhaps that's as much time as we have for the third point of our program. Assuming that we are improving laws and procedures and eliminating delays and getting a little more dignity in our courts, we can now go to the public and show them what we have done and are proposing to do and solicit its confidence.

Don, have you lawyers there in Wyandotte County used the newspapers any to go before the public and tell a story to it?

MR. LYSAUGHT: Yes, we have, Judge. A few years ago we ran a series of institutional ads in the Kansas City, Kansan, some 17 or 18 ads. They got a very good response, and when they were started, of course, the newspaper was told in advance we were going to run this series of ads. It started out with an editorial. I'll read a portion of that here. The editor of the Kansas City Kansan wrote:

"In stressing the idea of 'seeing your lawyer first,' the lawyers have a purpose which is not wholly selfish. As the advertisement will point out, your lawyer can save you money and mental anguish if you will let him help you. Perhaps you had never thought of it. It is true he will expect you to pay a reasonable fee for the service, or advice. But like medical advice and other advice for which you pay a fee it can be the means of preventing unhappiness and regret if you heed it. Good advice is good insurance. The whole tone of the lawyers' advertising campaign will be constructive and on a high plane, we are informed. This is always the most effective advertising."

Well, then in addition, of course, to the actual good which was gotten out of the advertisements, you can see a story like that can help a lot. There's no reason why the Bar Association should be ridiculed and always be the subject of cynicism on the part of the public. You see cartoons where the lawyer is always a shifty character. That can be combated, and it's going to be up to the individual lawyer and the local Bar Association to combat it. If we work with these newspapers, I think in most places the Bar Association has pretty good public relations with their newspapers, they'll work with us. On the other hand, I know the attitude in some places is, "you lawyers want a free ride." We say to newspapers we can't advertise but we want you to say in your paper thus and so and thus build up the Bar Association. Well, they say, "Why don't you put some money here? That's the way we keep our paper operating, so we can tell the

public about you." And I think that proper ads run on an institutional basis are a very proper thing and are a worthwhile expenditure of local Bar funds.

JUDGE WALLACE: Well, Art, you in the Salina Bar, have had a lot of activities in the way of supplying public information, both by pamphlets and newspapers and radio and so on. Tell us what you've been doing and what you think the results have been.

MR. DILLINGHAM: Some of the Bar pamphlets, in fact some 3,000 of those on wills, were handed to the banks and distributed in their monthly statements to their depositors. It met with very favorable response. We have pamphlet racks in the local banks and the building and loan companies, and we have distributed thousands, literally thousands of the pamphlets in Saline county. Now there's no way of knowing what effect that really has; but I know that the people are interested. We have some of these pamphlets in our office and the people waiting to see us, (once in a while some do) pick those up and they read them and they ask me, "May I take this home?" They're interested in the pamphlet on home ownership and what should they do, and joint tenancy and wills and so on. And they read these and it is bound to have an educational effect, and it is bound to bring those people to a lawyer when they need that advice, rather than to go to their real estate man or to their banker. The chances increase that they might come to a lawyer before they sign the real estate contract. You have seen people who are making the only investment they've made in their lives in the purchase of their home. Maybe it's ten thousand, fifteen, many a GI is buying a $20,000 home now, nothing down and pay forever. By the time he comes in your office, you find he has the contract all signed by all the parties and he says, "Take a look at that." You read it over. He's made his contract. He's had no legal advice. If you can impress those people with "see your lawyer first before you sign," then you can do them some good. When they bring in a fully executed contract, then all you can do is shake hands with them and compliment them on their fine judgment and hope they will be happy forever.

We in Saline county had a very interesting meeting that I believe that all of the lawyers in Kansas could well copy. We had a joint meeting out there in Saline county with the doctors. We had 157 people present at this meeitng that was co-sponsored by the Saline County Medical Society, the Salina Bar Association and the Kansas Association of Plaintiffs Attorneys. We had 30 doctors present from several communities in Kansas, and lawyers from some 75 communities. We had a good program and at the end of it, the local doctors said, "Let's get together at least once a year from now on and have a social event, at least." For 50 years we acted as though we were the only profession in town, and we had neglected our relationship with the doctors. You know how important a doctor is when you really need one in court and when your client needs one. If the doctor is a friend of yours and you can discuss the case, the doctor will spend time with you and then he'll come down to court and stand up for his patient in the court room. Then you really have made some public relations that are going to pay off for you and your clients. Besides that, the doctors are pretty nice fellows, and you'll enjoy knowing them.

On newspaper advertising, we've advertised some in the Salina Journal and in the Advertiser's Sun, our two papers there. We have 100% of the lawyers in Saline county members of our local Bar Association. When newspaper advertising is proposed the

local bar generally will go right along. I think we have a pretty good, well-integrated local association. Of course, if all could be in a local association, and then all be integrated into the State Association and the entire Bar be integrated nationally, we would probably have the strongest organization that is possible for a professional group to have.

JUDGE WALLACE: Didn't I understand that you made a little survey or analysis of legal fees as compared with medical fees, and reached some conclusion as to the result of the Medic's public relation program?

MR. DILLINGHAM: Yes, we had a meeting at the country club there in February, 1955, and all the lawyers were present. I proceeded to talk with them about the relationship of the income of the average doctor to the average lawyer and they all felt feeling poverty stricken. But you know yourself that you never see a poor doctor, that is poor financially. Of course it may be their undoing, but the doctors are rich and the lawyers are poor. The doctors in 1937 had an income less than the lawyers. The average lawyer in the United States was some six or seven hundred dollars higher than the average doctor's income. Then came the dentists, then came the professors. (Of course, there is not a poor lawyer that ever comes to a Bar convention.) You talk to lawyers, they are all doing well, but the statistics show that the doctor's income has increased some 125% since 1930, and the lawyer's 46% since 1930. The doctors are organized, and integrated. A doctor can't practice medicine in Saline county, or in any of your counties, unless he belongs to his local medical society, and his regional society and his state society, and the American Medical Society. Of course there are a few outside the pale, but they're not doing any good. The medical organizations don't ask the boys how much the dues are going to be, they tell them what the dues are and then have them send along another $50.00 to fight socialized medicine. The boys pay up, they are glad to do it. And if they're not glad to do it, they pay anyway. The doctor's advertising, and their organization is something that we could within reason emulate to our financial benefit.

JUDGE WALLACE: Charlie, do you have any ideas on—

MR. JONES: Well, I certainly second everything that Art has said. We have had similar experiences in Wichita and I don't want to detail them. I just agree with them. There is one thing I could add: that in the larger places, you ought to strive to get good relationships with the press, and we have striven over a number of years and we believe we have good relations with our press. We accept them into our meetings and they are just one of us and they always give us pretty good reports.

The other thing is potentialities of joint meetings. We had one with accountants last year. It was quite successful. We also had programs in the Bar where we used panels with accountants, wherein we pointed out their deficiencies and they ours. We did the same thing at their meeting and it was a very wholesome thing, and we finally concluded many an accountant and lawyer could represent the same person at the same time and get along all right and both of them get fees. I think that is a possibility. Instead of resentment between the two professions there should be a few more joint meetings and understanding and we could work out a very serious problem there that has existed for some time.

On newspaper, radio and that type, why I'm wholeheartedly in accord with anything we can put out. The problem has always been in the Wichita Bar, what's the copy, or what's the content. I mean, there's one way to advertise and there's another way to advertise. That's one reason why you, Judge, were sort of chagrined at us when you sent some copy down to us a couple years ago and we refused to take it; but that wasn't because we didn't believe in advertising. It was because we didn't like the copy and I think that Jim Dye would say that the Bar would go along, wouldn't they, Jim, on anything that was proper.

JUDGE WALLACE: Right along with Charlie's suggestion of meeting with the accountants and working out details with them, in our little Bar last Fall, we had a meeting with realtors, abstractors, bankers and insurance agencies there and discussed joint tenancy, and taxation as affected by joint tenancy, and the effect of joint deeds and joint wills and things like that. Just a Dutch treat, invited them all in. We probably had 50 or 60 there besides the members of the Bar. We thought we got excellent results and bred a better relationship, particularly with our real estate agents and such, relative to drawing contracts and all that.

Now we are getting pretty well to the end of our time but we do have one other subject that we might discuss briefly and that is our school program. The Public Relations Committee feels this is a very worthwhile program, simple to put on, and with very lasting effects. We have the indorsement of the State Superintendent of Public Instruction in Kansas, urging school officials to cooprate with the lawyers in this program. In my little county we have put it on for a couple of years and we think with very good results. Our lawyers go to the constitution or government classes in the high school and give lectures anywhere from twice a month to once every six weeks or two months, depending on circumstances, and lecture on traffic and domestic relations, law and government, and legislation, whatever the school authorities seem to like. Then the past two years we have wound up that program by inviting all the senior high school students in the county to participate and to listen to lectures by the lawyers on various subjects and ending with a mock trial. Those have been attended by school patrons, the school officials, and we have received many very complimentary remarks and urging us to continue the program and I am sure all of you could do the same.

Now, Charlie, over in Wichita you have had a school program over there and done something about it. Tell the Bar about that, just briefly.

MR. JONES: I think your program is wonderful. It's well designed for a smaller community. We can't possibly take all the students in. We do have a naturalization ceremony that I think is tremendous. I believe George Powers is the one that got it started, at least he played a very important part at the first few, maybe five years ago, and you can do it any place where the Federal Court sits, I suppose Fort Scott, Topeka, Hutchinson. Any place where a Federal Court sits you could have a naturalization ceremony. Judge Hill adjourns his Court to one of our local high schools. I think we have four or five we circulate through now, three times a year, and the Court usually runs through from 25 to 75 new citizens. It is a tremendous program. The judge has the bailiff and everything there, and they bring these kids from the high school and fill the auditorium. Wichita High School East will hold some 2,000 people and you get a different group

every time because the students are moving on. Judge Hill introduces the president of the local bar and he makes a short presentation. They have some musical numbers and then they have a sort of a climax, a speech to the new citizens, which of course is primarily for them, but incidentally is very apropos to all of the students. By the way, Judge Kandt's speech last Fall to the naturalization group, made the American Bar issue this May. You should read it. It's a powerful thing, and you will see the type of material presented. Then the ceremonies conclude with the national anthem, Battle Hymn of the Republic or God Bless America, and the Judge adjourns court. It's very, very formal and it has a terrific impression and if you've never seen that naturalization ceremony, you sometime should just make it a point to get to Wichita and see it. If there is any way it can be brought around to your local bar, that should be done.

JUDGE WALLACE: Haven't you had a vocational day there?

MR. JONES: Well, there is one other thing. This is a second program that only happens once a year. In conjunction with the Chamber of Commerce, they take the teachers downtown to various busineses and manufacturing establishments. I mean it's a reverse deal; the business men go out and go through all the schools and spend a whole day at it, and then in turn the teachers go down. Can't take the students, too many, and we usually have 40 teachers that designate the courthouse each year, and that's quite a program. The Bar Association handles that. They start out about 9 o'clock in the morning, they assemble them in one court room and they tell them generally what this is going to consist of and give them a little background about the law and usually there is always a case in progress that they get to sit in on for a half hour, then they take them to the Register of Deeds' office, and the Court Clerk's office, the Treasurer's office, and in each office, the lawyers in charge of them will explain a little bit, but then turn it over to the county officers and let them explain, so that builds up some nice relationship between the county officers and the Bar Association and the school teachers. They usually have lunch together and the teachers ask whatever questions they have, and finish the thing late in the afternoon. We never had one of these that we didn't get unlimited compliments about. I hope that both of those programs continue in Wichita. Another thing that I have always said you should do, and we have done it, when you develop a program that you think is particularly good, you ought to clear it through the State Association; I mean by that, you ought to send them a copy of all your correspondence on it, or if there's any newspaper reports you ought to give them to John Shuart, so at least he can be a clearing house on all this stuff, and if some Bar Association down in southwest Kansas wants an idea on something for a particular occasion, all right, write John Shuart, and John's just got reams of files on that sort of thing, and he could send it down to them.

JUDGE WALLACE: That's a most excellent idea, Charlie.

Don, have you done anything on a school program or of an educational nature in Wyandotte?

MR. LYSAUGHT: I don't think anything that would be of interest to the group, Judge.

JUDGE WALLACE: Mr. President, I think our time is up. (Applause)

MR. DEPEW: We certainly thank you.

JUDGE WALLACE: Gentlemen of the Bar, I neglected this when I made my Public Relations report. May I take this time to sincerely thank Claude Depew for the wonderful cooperation that he has given the Public Relations Committee during the past year, in his administration, and I assure you that the Public Relations Committee now is beginning to feel that we are really rolling and that through Claude's efforts you can expect a lot more from yourselves and your Association in the years to come. Thank you, Claude.

MR. DEPEW: Thank you, Clark. (Applause)

PRESIDENT DEPEW: Now, we have a representative in the House of Delegates and I know he enjoys attending the meetings and I want him to tell you something about what goes on there because he watches what goes on and takes part there. He is our own George Powers. (Applause)

REPORT ON A. B. A. HOUSE OF DELEGATES

MR. GEORGE B. POWERS: It is getting late in the session and along towards adjournment and I am going to be brief and very much to the point.

How many of you here have ever seen a session of the House of Delegates of the American Bar? Could I see your hands? There are really more than I thought.

How many of you here really know what the House of Delegates of the American Bar is? How many think they do?

When I was elected to the House of Delegates because I am the Secretary of your Association, which has been the custom in Kansas, it took me four months to find out to what I had been elected and what I was supposed to do. Now, that may sound silly but it is really the truth. I go there as your delegate. The annual meeting, which is in August of each year, you send me there and you pay my railroad fare there and back and you ought to know what it is that I am trying to do for you.

The House of Delegates of the American Bar is the ruling organization of the American Bar. It is like Congress. When they meet and wherever they meet, they set it up exactly like the House. They set it up with the tables of the states. Each state has its own table with its own name and its own delegates. They move those around so you never sit in the same place and you eventually get down to the front and then start at the back again. It is operated just like Congress. It has a chairman of the House of Delegates who is probably the strongest, most influential man in the American Bar. In my opinion, he has more power than the President of the American Bar because the House of Delegates is the only organization that can approve any action in the American Bar.

The American Bar has a President. It has a Board of Governors. Eight members, I think. It is a very small Board, and they act as an Executive Board. They cannot put in the motion any affirmative action of the American Bar of their own volition. It must clear the House of Delegates.

The House of Delegates is composed of about 200 men. Each state has one delegate, which is called the State Delegate to the House. He is elected by the members who

belong to the American Bar in each state. Our delegate is Bill Carey. Those of you who belong to the American Bar some time ago received a ballot and you voted for Bill Carey. He is your State Delegate. Incidentally, he is the man who casts the state vote for the President of the American Bar. He is wined and dined, I want to tell you, in the February meeting. He is the big man. There are only forty-eight of those; and, brother, those who run for office know those forty-eight men better than we know Bill Carey. (Laughter)

Each state has another delegate. That is the Bar Association Delegate. That is how I represent you. I represent the Bar Association—all the lawyers in the State of Kansas, or virtually all of them, while the State Delegate represents those who belong to the American Bar. So, that is the way we start out—with ninety-six in the house; one State Delegate and one Bar Association Delegate of every state in the United States.

Then after your Bar Association gets to a certain number, you are allowed an additional member. Illinois, I think, has eight members. Pennsylvania has quite a number. Texas has five or six, and that is why it is built up to about 200 members.

The chairman of the House of Delegates—the one who has been there the last three years until this year—is a red-haired fellow from Philadelphia named Maxwell. I have never seen anyone like him. If delegate stands up he says, "Mr. Jones from Illinois. Mr. so and so of Kansas." I have never seen him miss even if a man is in his first year in the house. I don't know how much he must study them. He has the advantage of knowing what state table from which you stand, but I am here to tell you that he knows his business. He is a lawyer. He is coming up in the higher council of the American Bar—the President's Board, but he can only serve for three years; and we have a new man this last year who is from Iowa. He does an equally efficient job. His name is Randall. John Randall. He has been Secretary to the Board, and he has moved up.

I want to tell you just a little bit about the method of operation. They always have a table, not as large as this, and they always have a mike and a place to speak just in front of it. You must come to that microphone if you intend to speak. You must speak to the question. With 200 lawyers there, it is amazing that they can keep anybody on the question. I have watched them for three years. They keep them exactly on the question. They have a limited time in which they can appear. They can appear more than once. The rules are strictly adhered to. There is only one man in the House of Delegates of the American Bar who they cannot control and that is Douglas Hudson. (Laughter) I mean that in all sincerity. Douglas Hudson has been—he is not on it now, but he has been a delegate at large. There are fifteen delegates at large, I forgot to tell you, and Doug Hudson was elected and served since 1936 and I tell you that Douglas Hudson is as well known as any lawyer in America in American Bar circles. He was a great benefit to me and I am sure to Bill Carey and to those others who have served because he knows every man, woman, and child; and particularly the women. But he does know every person in that House of Delegates, and Doug took it upon himself to see that we knew them all; and he would holler and bring them over and introduce them and it was a great joy to us to have a man like him there.

We have had members who have served on it before. Claude Chalfant served for

one—when Bill Carey couldn't appear in Chicago last August, Claude took his place. Judge Beryl Johnson of course, was on it for a long time.

It is one of the most interesting experiences that I have ever had. I wish everyone could have the experience of being on it.

What do they do in the House of Delegates? We meet twice a year. The annual meeting is in August. This year it will be in Philadelphia. We meet for three or four days at that time in a separate session.

If you come to Philadelphia, come to the room where they are holding the meetings. They are most interesting.

We got back to Atlanta, Georgia, last year and my wife—of course, her principal object in life was to go shopping. She came down to the House of Delegates meeting at nine o'clock one morning and two days later she was still there listening. I believe she thinks it is the most interesting thing she ever heard; and I do, too.

We had the annual meeting—it moves around the country. This year at Philadelphia; at Boston two years ago; last year at Chicago because then is when they dedicated the great new Bar Center and all lawyers going to Chicago should go out and see it. It was a voluntary contribution of over $2,000,000.00 and they built a great Bar Center which will be the head of all legal things really in this world. In America, yes; but really in the world, that will be the Bar Center. The head of everything will be there. We have a meeting there—a business meeting there—in February of every year. This last year, we met there February 21 and February 22.

In the middle of the morning, the President—by the way, the President of the Bar this year is Lloyd Wright, who is from Los Angeles. In the middle of the meeting, he stood up and announced that he had an unusual honor that he would like to give us and he presented Mr. Charles Laughton. He walked down through the aisle of that meeting and everybody stood. He is getting to be quite an old man and he is quite stooped, but he is the Charles Laughton that we saw as Captain Bligh and all the rest. He walked to the microphone and he did three simple little things. He gave a little humorous reading which was the first speech that Abraham Lincoln ever made which ended up by saying, "I hope you will vote for me; but if you do not, it will be all the same." Would but some of the politicians adopt that same principle. (Laughter)

Second, he read part of Washington's farewell address; and then he ended by what he said is the greatest thing ever written—Lincoln's "Gettysburg Address".

Now, you have all heard the "Gettysburg Address" a thousand times and I don't know what he did to it—Claude was in the back of the room and they let the guests come in to hear it. What he did to it, I don't know; but I never heard anything like it. When he finished with the simple "Gettysburg Address", it was almost like it was when Lincoln gave it because there was a semi-religious feeling. There was silence for a moment and then tremendous applause and nobody could talk for a little while. I don't know exactly why, but it was a great thing to have happen right in the middle on February 22.

Just very briefly let me tell you that all of the action programs of the Amreican Bar come up through committees just like ours do here.

The most important things in America today are written by committees in the American Bar Association. I can make that statement. I can back it up. All of the new

revenue act—do you know where that was written? That wasn't written by Congress. It was written by the Taxation Committee of the American Bar Association after five years of work, and we are now—by "we", I mean the American Bar—that committee is now writing the rules and regulations for the Internal Revenue Department that are going to show how that new law operates. That is a tremendous thing. Congress hasn't time to do it themselves and they lean on the American Bar; and when the American Bar Association speaks through its House of Delegates, who are speaking for you, I am telling you that Congress listens.

One of the important things at Chicago in the mid-year meeting was the question of Social Security for lawyers. At least three times, we had it up and insisted that we didn't care for the socialistic ends of it and why we didn't want Social Security. So, they sent out some questionnaires. They sent to the Presidents of the State Bars and had them run a questionnaire and they voted 490 in favor and 117 against voluntary inclusion, and then they sent it out to the Bar Associations and the vote was 264 in favor and only 45 against; and then they sent to the Executive Committees and they had a questionnaire and they came back with 222 votes for and 71 against. So, we said "all right". Then some of these Bar Associations like Michigan walked up and said, "The young lawyers in the State of Michigan are going to withdraw their complete support of the American Bar unless you give them the right for voluntary inclusion in Social Security." It was passed and I think it will be a part of our law that you will have the right for voluntary inclusion in Social Security and it will come through the American Bar.

They had up the question of compulsory retirement for the Federal judges of the Supreme Court. Supreme Court judges at 75, compulsory; and voluntary retirement of all other Federal judges at 75. No Supreme Court justice can run for President of the United States nor Vice-President unless they have been off the bench for at least five years. That was passed. I don't know what will happen to that when it gets to Congress.

The life insurance program was discussed, and have you all received your information of the approval of the American Bar on a certain type of life insurance program? A new section has been established that you will be hearing from. I think we all ought to be in favor of it. It is called "Family Law" and it is going to take up the questions of uniform laws on marriage, divorce and annulments, maintenance and support, adoptions, minors, incompetents, and welfare; and that ought to be tremendously important in the United States.

Well, we are responsible to the American Bar. When I say "we", I am talking about you. We are responsible without question to pay raises for judges—Federal judges in the United States. Our own Claude Depew was called back to Washington as one of the principal witnesses in the United States on the hearings that gave us the increase for our Federal judges.

One other thing and I will quit, Claude. I think this is interesting. It might be interesting in the Bar Journal.

We have the first case in America where a lawyer refused to answer the question as to whether or not he was a communist on the grounds that it might tend to incriminate him and he stood on his constitutional rights. They promptly disbarred him in the State of Florida. It is now in the Supreme Court of the State of Florida. His name is Leo Sheiner, Sheiner vs. The State of Florida. The American Bar has filed amicus curiae

briefs through their committees, and they are excellent briefs; but to my amazement, another group called "The National Lawyers Guild", who consider themselves appointed to defend people whose privileges are being encroached upon and so on, and that is all right. I am not criticizing that. They have filed twice as long a brief in favor of it. They think a man ought to be able to refuse to answer on the grounds that it might intimidate him and still go on practicing law. The American Bar's brief is based on the conclusion that there is a distinction between a person's status as an individual and his status as an attorney and officer of the court and that membership in the Bar is not a right but a high privilege dependent on continuous exacting conditions and as such is limited by the Federal Constitution. Only the Supreme Court of the state has the right to determine whether the man should continue to have the right to practice law; and any man who has sworn to uphold the constitution and then refuses to answer a question as to whether he belongs to the communistic party or any organization whose purpose it is to overthrow that government, should be disbarred and no longer have the right to practice as a lawyer before any court.

I think it is an extremely interesting thing. The American Bar is in it tooth and toe nail for all of us, and it might be interesting in our Bar Association Journal.

So long as I am your delegate, I will assure you of two or three things. One is that I think it is the most interesting thing I have ever had anything to do with.

Second: You send me back there as your delegate and I feel obligated and do attend every session that the House of Delegates has, and I think not for me as an individual but because we are part of a tremendous, great, and powerful organization.

You ought each year to have a short report on what you are doing through the American Bar, and that is why I am here. Thank you. It has been a privilege. (Applause)

PRESIDENT DEPEW: Thank you, Mr. Powers. We are glad to have you there and glad to have you tell us what is going on. Speaking of your wife attending meetings reminds me of a little incident that happened here that shows these things can affect people other than lawyers. I understand one of the bellboys took $5.00 out of his tips and bought one of Judge Medina's books out there this morning. (Laughter)

We will now have the report of the Resolutions Committee. Judge Somers.

MR. J. G. SOMERS: Your committee submits the following:

RESOLUTIONS

BE IT RESOLVED By the Bar Association of the State of Kansas in its 73rd Annual Convention assembled in the City of Hutchinson, Kansas, May 19, 20 and 21, 1955, that the following be adopted:

To the Members of the Reno County Bar Association who have made our stay so pleasant and profitable by their zealous attention to our wants and desires, we extend our sincere and heartfelt thanks and appreciation.

To the Ladies, the wives and mothers of Hutchinson lawyers, who made the all too short visit of our wives so pleasant, and without whose help and direction no convention can succeed, go our especial thanks. The result of their efforts were apparent and yet seemed so effortless. To these perfect hostesses our humble gratitude.

We deeply appreciate the accurate and complete coverage of the news of the convention furnished by the newspapers, the radio and television stations during the convention and trust that the friendly relationship between the members of the Bench and Bar and the news services here established may continue to provide the means of establishing a better understanding and appreciation by the public of the legal profession and the services rendered by the members thereof and the courts in protecting the freedom of man.

And finally, to all others, business, industry and public generally, and even the weather man who contributed to the success of our stay, to these and each one of them, our thanks—may we meet again.

BE IT FURTHER RESOLVED That we heartily commend the successful administration of our retiring President, Claude I. Depew, who has given unstintingly of his time and money to the advancement of our profession, not only during his term of office as President but during the many years he has served on the Executive Council. The growth and improvement of the Association speaks not only for itself but for him, and to him go our commendation and praise.

BE IT FURTHER RESOLVED That we thank all members of the Executive Council and particularly our Executive Secretary John W. Shuart for a very successful year.

Respectfully submitted,

BERYL JOHNSON
WESLEY E. BROWN
J. G. SOMERS, *Chairman*

MR. J. G. SOMERS: I move the adoption of the report.

PRESIDENT DEPEW: Is there a second?

FROM THE FLOOR: Second the motion.

PRESIDENT DEPEW: All in favor say "aye". Opposed, "no". It is carried and so ordered by unanimous vote.

Now, we have the report of the Nominating Committee. Donald Martindell.

NOMINATION AND ELECTION OF OFFICERS

MR. DONALD MARTINDELL: Mr. President, it is a very short report. I don't believe it is necessary to come up to the mike if everyone can hear.

The most difficult job of the committee was to get a meeting.

I submit the following report of the Nominating Committe: For President for the ensuing year, Claude E. Chalfant of Hutchinson. For President-Elect, J. Willard Haynes of Kansas City. For Vice-President, O. B. Eidson of Topeka. For Secretary-Treasurer, George B. Powers of Wichita. And for District Delegate for those districts where nominations are necessary: Second District, William Mills of Topeka; Third District, Jay W. Scovel of Independence; Sixth District, William M. Ferguson of Wellington; Eighth District, Alex M. Fromme of Hoxie.

The committee: P. K. Smith of Wichita, Everett Steerman of Emporia, and D. C. Martindell, chairman.

PRESIDENT DEPEW: Are there any nominations from the floor for any of these offices? If not, I would like to take a vote on the nominees reported by the Nominating Committee. All in favor of the entire group will say "aye". Opposed, "no". It is carried and so ordered.

I would like to have Claude Chalfant please come forward. (Applause.)

PRESIDENT DEPEW: Mr. Chalfant, I make you a present of the gavel symbolic of the Presidency of the Kansas Bar Association and assure you that I am glad to give it to you, although I hate to give it up myself.

MR. CLAUDE E. CHALFANT: Thank you, Claude. (Applause.)

MR. CLAUDE E. CHALFANT: My promotion to this office here at this moment, of course, does not come as a great shock; however, one cannot receive the highest honor of this Association without having a warm feeling in one's bosom. Of course, this is not the time for the incoming President's speech. The constitution provides otherwise.

Claude Depew has set a rather tough precedent for any incoming President, but with the help of all of you I am certain that our Association will continue to go forward as it has for many years. I thank you. (Applause.)

PRESIDENT DEPEW: The meeting is adjourned.

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CASE NOTES

RESTRICTIVE COVENANTS—PERSONAL

A grantor subdivided a tract of land and sold some of the lots with the following restrictive covenant: " . . . no dwelling house or other building shall be erected on the tract until the type and exterior lines of the building to be erected on the tract shall have been approved by W. C. Coker (the grantor), or by an architect selected by him . . . " Both grantor and grantee covenanted for their heirs and assigns. One of the purchasers resold a lot to the plaintiffs, who took subject to the restrictions. The grantor designated an architect and died shortly afterwards. The plaintiffs proposed to erect a house on their lot but the architect declined to approve the type and exterior lines of the structure. The plaintiffs brought a declaratory judgment proceeding claiming that the covenant in question was a personal one for the sole benefit of the grantor and had terminated upon his death. The defendants asserted the covenant was for the benefit of the successors in interest to the original grantor and that it was inserted pursuant to a general building scheme and therefore enforceable against the plaintiffs.

The lower court held for the plaintiffs, declaring the covenant to be personal and

therefore terminated. On appeal, it was affirmed. The court said that the covenant was personal because it stated in plain and unmistakable language that the grantor had absolute power to determine the type and exterior lines of the building based upon his aesthetic sense and that he could exercise this absolute power in person or through a selected agent. The meaning of this plain language must not be enlarged because the law looks with disfavor upon restricting the free use of property. Julian v. Lawton, 82 S.E. 2d 210, (N.C. 1954).

This case follows other jurisdictions when it says that the law looks with disfavor upon covenants restricting the free use of property, and nothing can be read into a restrictive covenant enlarging its meaning beyond what its language plainly and unmistakably imports. Doxaras v. Abihider, 268 S.W. 2d 699 (1954); Anders v. Greenlands Corp., 31 N.J. Super. 329, 106 A. 2d 361 (1954); Premium Point Part Ass'n. v. Polar Bar, 306 N.Y. 507, 119 N.E. 2d 360 (1954); Ingle v. Stubbins, 240 N.C. 382, 82 S.E. 2d 388 (1954); McCandless v. Buan, 377 Pa. 18, 104 A. 2d 123 (1954). Covenants and agreements restricting the free use of property are strictly construed against limitations on such use. Sporn v. Overholt, 175 Kan. 197, 262 P. 2d 828 (1953); Braun v. Roberts, 175 Kan. 859, 267 P. 2d 490 (1954).

Real covenants are those so closely connected with the realty that their benefit or burden passes with it. Pearson v. Richards, 106 Or. 78, 211 Pac. 167 (1922). The words "personal covenant" are very ambiguous and may be used with several meanings. The controlling factor in each case involving covenants restricting the use of realty is the intention of the parties as indicated by the language of the conveyance or agreement involved, construed in the light of the general purpose indicated and the circumstances of the case. Buckley v. Mooney, 339 Mich. 398, 63 N.W. 2d 655 (1954). Covenants which impose a burden on real estate for the benefit of the grantor personally, Berryman v. Hotel Savoy Co., 160 Cal. 559, 117 Pac. 677 (1911), or secure personal privileges, Middletown v. Newport Hospital, 16 R.I. 319, 15 A. 800 (1888), are to be regarded as personal covenants. Such covenants bind only the grantee and can be taken advantage of only by the grantor. Whalen v. Baltimore and O. R. Co., 108 Md. 11, 69 Atl. 390 (1908).

Restrictive covenants which have been held to be personal include a covenant in a deed limiting the use of the other land of the grantor adjoining that conveyed, Yates v. Chandler, 162 Tenn. 388, 38 S.W. 2d 70 (1931), and a covenant to erect no building on land conveyed without approval of the grantor, except a filling station, Chappell v. Winslow, 144 F. 2d 160 (4th Cir. 1944). There wasn't a plan of development in either of these cases. The words "without the permission of Josiah Winslow" and "without the consent of the other three heirs" were used, intent being the all important test.

A Pennsylvania court has held that a restriction in a deed that ". . . no structure of any kind shall be erected or permitted upon said premises or any part thereof unless the plans for the same shall have been first submitted to and approved" by the grantor or his legal representative is a valid covenant running with the land, and inures to the benefit of other lot owners in a plan of lots in accordance with which the deed was made. Harmon v. Burow, 263 Pa. 188, 106 Atl. 310 (1919). This court construed "the grantor or his legal representative" to mean heirs, executors, administrators or assigns. North Carolina, on the other hand, construed "grantor or an architect selected by him" to mean a grantor or his agent, and that the death of the principal terminated the authority of the agent.

The search for unenforced covenants similar to the principal case has revealed covenants requiring a lighthouse to be left between buildings, Heimburge v. State Guaranty Corp., 116 Cal. App. 380, 2 P.2d 998 (1931), prohibiting a grocery business on the land, Shade v. O'Keeffe, 260 Mass. 180, 156 N.E. 867 (1927), forbidding manufacturing on the premises, Harrington v. Joyce, 316 Mass. 187, 55 N.E. 2d 30 (1944), restricting location and character of improvements to be made, Jennings v. Baroff, 104 N.J. Eq. 132, 144 Atl. 717 (1929), and requiring a certain set back distance for all buildings. Baker v. Henderson, 137 Tex. 266, 153 S.W. 2d 465 (1941). All of these were considered

personal and each lacked *either* similar restrictions in the deeds for other lots in the development *or* a scheme of development, *both* of which were present in the principal case.

Still another case, Allison v. Greear, 188 Va. 64, 49 S.E. 2d 279 (1948), reveals a covenant prohibiting a mercantile business from being conducted on the property. The court here refused to enforce the covenant after the grantors had disposed of their nearby mercantile business. The restriction was considered personal to protect the grantor's business and served no purpose after the sale.

The combination of (1) a building restriction, (2) an area developed according to a "scheme," and (3) a refusal to enforce because the covenant was personal has not been found outside the principal case. As seen above, cases may have all but one of the features of Julian v. Lawton.

Generally, where the owner of a tract of land subdivides it and sells distinct parcels thereof to separate grantees, imposing restrictions on its use pursuant to a general plan of development or improvement, such restrictions may be enforced by any grantee against any other grantee. Strong v. Hancock, 201 Cal. 530, 258 Pac. 60 (1927). However, the case at hand holds that even with such a general plan, if the language implies the covenant is personal, it shall be so construed.

The result desired by the grantor in the principal case has been accomplished by means of a property owners corporation in which each grantee joined by acceptance of the deed. The covenant read: "No building or other structure shall be erected or the erection thereof begun on said premises until the plans and specifications thereof shall have been first presented to and approved in writing by the Seller or by the property owners corporation, herein referred to, as to outward appearance and designs." Huntington Palisades P.O. corp., v. Metropolitan Finance Corp., 180 F. 2d 132 (9th Cir. 1950).

Since more specific or defined language in the deeds can do much to clear up any doubt as to the real or personal nature of a restrictive building covenant, it is possible that in the future the careful draftsman can obviate the necessity for the court's having to designate such a covenant as personal.

CHARLES SPARKS.

TORTS—TESTAMENTARY LIBEL

This action was brought by the testator's grandson against the estate of the testator. The plaintiff alleged that the testator's will contained statements which were libelous per se. The defendent's general demurrer was sustained in the lower court. The Supreme Court of Oregon held that an action will lie against an estate for libelous matter in a will published after the testator's death. Kleinschmidt v. Matthieu, 201 Ore. 406, 266 P. 2d 686 (1954).

The case represents another challenge to the rule that a personal right of action dies with the person. The origin of the rule is obscure. Prosser on Torts 950 (1941). The basis, however, seems to have been the quasi-criminal character of early tort actions. Battle v. Osborne, 155 Wash. 584, 594, 285 Pac. 425, 429 (1930). "This is one of the least rational parts of our law." Pollock, The Law of Torts 61 (11th ed. 1920). "The tendency, therefore, has all the while been by decision and by statute to limit and circumscribe the effect of the rule . . ." Harris v. Nashville Trust Co., 128 Tenn. 573, 162 S.W. 584, 587 (1914).

In denying the application of the rule, the courts have reasoned literally that since publication is the gravamen of the injury, no action accrued during the life of the testator and hence would not abate on his death. Pollock, The Law of Torts 61 (11th ed. 1920). Thus, actions founded on libel by will have been allowed in the following cases: Brown v. Mack, 185 Misc. 368, 56 N.Y.S. 2d 910 (1945); In re Gallagher's Estate, 10 Pa. Dist. Rep. 733 (1900); Harris v. Nashville Trust Co., supra. However, other courts have held the rule applicable in denying relief based on libelous wills. Citizens & Southern Nat.

Bank v. Hendricks, 176 Ga. 692, 168 S.E. 313 (1933); Carver v. Morrow, 213 S.C. 199, 48 S.E. 2d 814 (1934).

As additional support for the denial of liability of the estate, the latter courts have reasoned that the executor was an agency of the law, not the representative of the testator in consummating his wrong. Citizens & Southern Nat. Bank v. Hendricks, supra; Carver v. Morrow, supra. The principal case refused to follow this reasoning and held that the publication and the resulting injury occur before the executor becomes an agency of the law, for the executor does not become such until he is appointed and letters testamentary issued. The agency problem was eliminated in Brown v. Mack, supra, at 915, and the estate held responsible in holding that "Responsibility for publications in libel actions . . . may be inferred from the setting in motion of the procedure designed to achieve such result, if the result actually follows." See also Youmans v. Smith, 153 N.Y. 214, 218, 47 N.E. 265, 266 (1897); Harper, Law of Torts 501 (1933).

A further reason for exempting the estate from liability has been that, conditioned upon a finding that the testator had no intent to injure but was merely directing the distribution of his property, libelous matter in a will is privileged. Nagle v. Nagle, 316 Pa. 507, 175 Atl. 487 (1934). The court would apparently hesitate to extend this privilege to the extreme the Kansas court has in protecting ordinary litigants. The Kansas court has held that all material and pertinent allegations in a pleading or motion filed in court are absolutely privileged. Davis v. Union State Bank, 137 Kan. 264, 20 P. 2d 508 (1933); Bugg v. Insurance Co., 114 Kan. 549, 220 Pac. 258 (1923). The court in the principal case held that no privilege would apply, since the filing (publication) of the will occurred before the commencement of probate proceedings. Public policy does not demand that the testator should have a shield of privilege. Brown v. Mack, supra.

The holding in the principal case would also seem to allow recovery for all torts which the testator has set in motion but which occur after his death. The wisdom of such an extension has been doubted. See Note, 87 A.L.R. 234 (1933). In Shupe v. Martin, 321 Mo. 811, 12 S.W. 2d 450 (1928), the plaintiff was nonsuited on a cause of action which arose after the death of the tortfeasor on the basis that the survival statute, Mo. Rev. Stat. §4231 (1919), did not provide for survival after the death of the tortfeasor. Relief was denied in U.S. Casualty Co. v. Rice, 18 S.W. 2d 760 (Tex. Civ. App. 1929), where the cause of action in negligence did not accrue until after the death of the wrongdoer. The Texas statute, Tex. Rev. Civ. Stat. §5525 (1925), only allowed survival when the action had been commenced before the death of the tortfeasor. The court properly held that the statute did not apply. Unlike negligence actions, however, if the courts fail to give relief for libel by will, a testator, while composing his will, can calculate to effect his tort and still remain free from liability. This element of calculation is absent in a negligence action. It has been suggested that this difference in these two post-mortem torts would give more strength to an action for testamentary libel than for ordinary negligence. 6 Wash. & Lee L. Rev. 247 (1949).

In construing survival statutes the phrase "injuries to the person" is held not to include libel. Catchings v. Hartman, 178 Miss. 672, 174 So. 553 (1937). Thus the libelee in most states would have no remedy even if the cause of action arose before the tortfeasor's death. It is definitely provided in Kan. G.S. 1949, 60-3202 that pending litigation for libel will abate upon the death of either party. The intent of the legislature in specifically providing for abatement would seem to be the punitive nature of such actions. Although the estate should not be made to pay punitive damages there appears to be no reason why compensatory damages should not be forthcoming. Harris v. Nashville Trust Co., supra. The progressive New York code, N.Y. Decedent's Estate Law 118, provides for this situation and gave the court statutory authority for the decision in Brown v. Mack, supra.

JAMES E. WHEAT

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COMMENT

CONSTRUCTIVE AND RESULTING TRUSTS IN KANSAS

By WILLIAM A. GOSSAGE, JR.

This comment will deal with the resulting and constructive trust, showing the theory and the history of each. Kansas cases will be used to illustrate how our courts have applied the general rules relating to each type of trust. Attention is given to the Kansas statutory provisions relating to trusts arising by operation or implication of law; the statute of frauds; the doctrine of laches and the statute of limitations.

By way of history, the modern law of resulting trusts has its origin in the early doctrines of the English Court of Chancery as to Uses. 3 Scott Trusts, 404. The original use was conceived to divest the legal title from the owner and yet to retain the beneficial ownership. Since legal title was not involved, the common law courts refused to inquire into the promise of a feoffee to deal with the land for the benefit of the feoffor so it fell to the extraordinary powers of the Chancellor to enforce the promise on the prin-

ciple that one who breached a promise should not be suffered to profit by his own breach of faith. The conveyance of lands by feoffment to uses became so common that the Chancellor often implied a use where none had been expressed. This implication was raised when no consideration was paid and no use was expressly declared on the theory that it was not the intention of the feoffor to make a gift, but to retain the beneficial interest or ownership in himself. The use was said to come back to the feoffor or "result" to him, hence the term "resulting use", which in time became a resulting trust.

The common law rule that a resulting use arises in favor of a person making a feoffment in fee simple to another where no consideration is paid for the feoffment and where no express use is declared by the feoffor, has not been fully applied in the Kansas law of trusts. Where a transfer of property is made without consideration, the inference is that the transferer intends to make a gift to the transferee; not that he intends that the transferee should hold the property for the benefit of the transferor. (Restatement Trusts, 405 comment).

The presumption is that a conveyance directly to a wife, or a purchase in her name upon a consideration paid by a husband is intended as a gift (Olson v. Peterson, 88 Kan. 350, 356, 128 P 191).

In the case of Clester v. Clester, 90 Kan. 638, 135 P 996, a husband was the owner of realty purchased in part with the money of his first wife. He later, without consideration, conveyed the property to his second wife with the result that the rights of the children by his first marriage were severed. To the argument that it was unreasonable to assume that Clester intended to exclude the children of his first marriage, and that from such unreasonableness an inference of an agreement to hold in trust should be presumed the court said, "The argument loses sight of the fact that, being the owner of the land, he could lawfully make a gift of it to the wife, regardless of how unreasonable such a procedure might be or appear to be. The conveyance to her, without a valuable consideration, being presumed to have been intended as a gift, the burden rests upon the appellants to establish the contrary."

"If all that is required to defeat an absolute conveyance of real estate by the husband to the wife is a showing that it results in hardship and unfairness to other members of the family, then it follows that, no matter what the intention may have been, the conveyance must stand or fall upon the question of how it may appear to affect the interest of persons other than the grantor and the grantee."

In the case of Knaggs v. Mastin, 9 Kan. 532, the transfer was from father to daughter made without consideration. The daughter's husband had also conveyed land to her, absent consideration. It was held the daughter was the legal owner and also the beneficial owner in both conveyances, and that no resulting trust arose.

It is believed that this change in the common law rule resulted from the change in the method of conveyancing following the enactment of the Statute of Uses. After the Statute, as before, if a common law conveyance was made without consideration, a use resulted to the grantor, so by virtue of the Statute the title remained in the grantor. After the Statute, it became common practice to convey land by bargain and sale deed, or by way of lease and release. The deed of bargain and sale was inconsistent with the existence of a use in the grantor because it was necessary to raise a use in the grantee

by bargain and sale in order to vest the title in the grantee by execution of the use, according to the operation of the Statute. This form of conveyance for these reasons precluded a resulting use. A considerable period elapsed after the Statute before the practice of creating a use upon a use arose. In cases where A purchased property from a third person and ordered the conveyance in the name of B, after the practice of raising a use upon a use became common, the courts presumed the use upon a use in favor of A, notwithstanding the form of conveyance, thus preserving the resulting trust in that class of cases. Where the conveyance without consideration is from A to B directly by deed, courts have never presumed a use upon a use in favor of A. Mr. Justice Stone concluded from the history of the resulting trust that it was "in its origin an express use or trust, differing from other express uses of trusts only in that it was proved in a particular way, i.e. the person claiming under it was given the aid of a presumption in establishing his claim (Resulting Trusts and the Statute of Frauds, Harlan F. Stone, 6 Col. L. Rev. 326, 330).

The three situations in which a trust arises which is properly denominated a resulting trust are:

1. Where an express trust fails either in whole or in part.
2. Where an express trust is fully performed without exhausting the trust estate.
3. Where the purchase price is paid by one person, and the vendor at the direction of the payor conveys the property to another person. This is by far the most common type of resulting trust and is governed by special statutory provisions. However, the three situations will be discussed in the order mentioned, rather than in order of relative importance.

As noted supra, a resulting trust will arise in a situation where an express trust fails for some reason other than illegality. In Troutman v. Deboissiere Odd Fellows Orphans Home, 66 Kan. 1, 71 P 286, a large tract of land was deeded in trust for the maintenance of an orphans home under conditions that the court did not deem to raise a charitable trust. The trust failed and a resulting trust arose in the heirs of the trustor.

In order for a resulting trust to arise in favor of the settlor of an express trust, the trust conveyance must have been made for a legal purpose. Since a transfer for the purpose of defrauding creditors involves moral turpitude, a conveyance for that purpose will not raise a resulting trust in the settlor or his heirs. The law is well settled that where property is transferred with a fraudulent purpose in view, neither the grantor nor his heirs can recover it (Wyatt v. Collins, 105 Kan. 182, 180 P 789; rehearing denied, 105 Kan. 189, 180 P 992).

It is not necessary to employ the word fraud or fraudulent in pleading misconduct; it is enough to relate the facts as to the wrong done and the law itself will draw the proper conclusions and measure the effect (North American Life Insurance Co. v. Dyatt, 121 Kan. 873, 250 P 341).

The rule against a resulting trust for the settlor or his heirs in the case of a fraudulent conveyance is based on a principle of public policy and is directed not only against the enforcement of an intended trust which is illegal, but also against aiding a participant in an illegal transaction to obtain restitution (Restatement Trusts, 422, Comment a; Wyatt v. Collins, supra).

Where the owner of property gratuitously transfers it upon a trust which is properly declared, but which is fully performed without exhausting the trust estate, the trustee holds the surplus on a resulting trust for the transferor or his estate, unless the transferor properly manifested an intention that no resulting trust of the surplus should arise (Restatement Trusts, 430).

The question that usually arises in all these express trust cases of this type is, "Did the instrument create a trust?"

In Hampson v. Stanfield, 152 Kan. 333, 103 P 2d 910, (1940) the question was raised and considered in a specially concurring opinion by Mr. Justice Allen, citing cases from other jurisdictions following the rule that when the trust estate is not exhausted, the residue goes by way of resulting trust to the settlor or his heirs.

The case of Morton v. Flanagan, 143 Kan. 413, 55 P 2d 373, raised the question of whether the following language of a will created a trust, or whether it was an equitable charge. The language was: "Mrs. Lillian Flanagan is to have the distribution of this to be held as her own." The court ordered the residue to be distributed to the heirs at law, which in effect created a trust. If the intention is clear that the trustee is to have the excess after performance of the express trust, then the resulting trust is effectively rebutted and the trustee takes title.

Turning to the third resulting trust situation, the purchase money resulting trust, we find the cases governed in Kansas by the provisions of the Trusts and Powers Act which was passed in 1858 by the Territorial Legislative assembly and which have remained unchanged. (Acts of Governor and Legislative Assembly of the Territory of Kansas (1858) Ch. 73).

G. S. 1949, 67-406, provides, "When a conveyance for a valuable consideration is made to one person and the consideration therefor paid by another, no use or trust shall result in favor of the latter; but the title shall vest in the former, subject to the provisions of the next two sections."

The operation of section 67-406 is intended to apply only to real estate and does not apply to transfers of personalty. Further, a mortgage of real estate is not such a conveyance as to come within the meaning of the statute. (Hanrion v. Hanrion, 73 Kan. 25, 84 P 381). In the Hanrion case the court said, "It is obvious from the context if not from the language quoted, that the section is intended to apply only to transactions concerning real property and not to transfers of personalty."

G. S. 1949, 67-407 reads: "Every such conveyance shall be presumed fraudulent as against the creditors of the person paying the consideration therefor; and where a fraudulent intent is not disproved, a trust shall in all cases result in favor of prior creditors to the extent of their just demands, and also in favor of subsequent creditors if there be sufficient evidence of fraudulent intent."

G. S. 1949, 67-408 provides the exceptions to the rule in 67-406, and recites the situation in which a trust will result in favor of the person paying the consideration for the conveyance.

G. S. 67-408 reads as follows: "The provisions of the section next before the last shall not extend to cases where the alienee shall have taken an absolute conveyance in his own name without the consent of the person with whose money the consideration

was paid; or where such alienee in violation of some trust shall have purchased the land with moneys not his own; or where it shall be made to appear that by agreement and without any fraudulent intent the party to whom the conveyance was made, or in whom the title shall vest, was to hold the land or some interest therein in trust for the party paying the purchase money or some part thereof."

Most of the purchase money trust cases arise under the third exception in section 67-408 which requires an "agreement" made without fraudulent intent.

Cases indicate that the agreement need not be in writing. The rule as to parol evidence was stated in Taylor v. Walker, 114 Kan. 614, 616, 220 P 518, in the following language: "It will be observed the statute does not require the agreement to hold title in trust for the person paying the consideration to be in writing, and the court has held many times that a parol agreement is sufficient. The exception to the provisions of section 11679 [now G. S. 1935, 67-406] is one of several in which a trust may be established by parol evidence, and it is sufficient that the court or jury trying the case be satisfied of the existence of the trust relation."

In the case of File v. Conzelman, 106 Kan. 345, 187 P 878, a husband furnished the consideration and took title in the name of his wife, upon her agreement to reconvey. The agreement was proved by the testimony of an agent for the seller of the land that he heard the wife say that she would take title and deed the property back to her husband any time he wanted it. The court found that this was enough evidence of an agreement to raise a purchase money trust under the exception in the statute.

Proof that without fraudulent intent the person to whom the conveyance was made, agreed to hold the land in trust for the person paying the purchase price may be established by evidence of the relations of the parties, their financial means, their conduct and admissions and other circumstances. Thus, in the case of Kull v. Pearl, 147 Kan. 329, 76 P 2d 790, where the wife paid all of the consideration for the property in question and took conveyance in the name of her husband, the agreement was proved by a showing that the wife brought substantial means to the marriage, while the husband had little; that the husband had made admissions that the property belonged to his wife; that the husband acquiesed in control of the property by his wife.

In some of the cases the agreement is passed over so lightly that one would suspect that the common law rule as to resulting trusts has hardly been changed by the statute. It will be remembered that at common law a resulting trust arises where a transfer of property is under circumstances which "raise an inference" that the person causing the transfer to be made did not intend the alienee to have the beneficial interest in the property transfered. The "agreement" in Hunnicutt v. Oren, 84 Kan. 460, 114 P 1059, consisted of an admission (made after taking title) that the title was held in trust. In that case Hunnicutt paid the purchase money and took title in the name of his wife. Oren, who was the brother of Hunnicutt's wife, entered into negotiations to purchase the realty from the Hunnicutts and in furtherance of this transaction, a deed was executed and placed in the hands of a third party to be delivered to Oren on completion of the negotiations. For some reason the sale was never consummated. The deed was returned to the Hunnicutts by the third person and Mrs. Hunnicutt delivered it to Oren without receiving any consideration therefor. When Hunnicutt found that the deed had been delivered to Oren, and made complaint, Oren told him that he was holding

the title for him and that it didn't make any difference. The court held that Oren was holding the title on resulting trust for his sister under the third exception to section 67-408. The court said, "Hunnicutt had paid practically all of the consideration for the land, and the conversation recognized that he had an interest therein, and the acquiesence of himself and his wife to the statement of Oren *amounted to an agreement* that Oren should hold the title in trust for them."

The result seems to have extended the meaning of the statute to permit a resulting trust of lands in any situation where a donee title holder holds by oral agreement with knowledge of the equitable interest of another.

Another case where there was no direct evidence of an agreement is the case of Starbuck v. Kingore, 112 Kan. 102, 210 P 930. In that case a husband used his wife's money to purchase land, taking the title in his own name. The court observed in raising a resulting trust under the third exception of section 67-408 that the circumstance of the husband becoming rich while the wife would have nothing after years of marriage was evidence of an agreement. It might be noted that there is an element of a confidential relation (which will be discussed later under the subject of constructive trusts) in all of the cases where the agreement is found easily by the court.

In the case where property is conveyed to two or more persons, each of whom pays a part of the purchase price, but the parts paid are not equal, the general rule would raise a resulting trust in the realty in proportion to the parts paid by each of them, unless there is an intention that no resulting trust should arise or that it should not arise to that extent. In such a case the legal interest is held in equal shares, but the beneficial interest of each is in proportion to the amount which he contributes whether that is more or less than an equal share (Restatement Trusts, 454).

The above factual situation existed in Anderson v. Anderson, 137 Kan. 833, 22 P 2d 471, rehearing denied, 138 Kan. 77, 23 P 2d 474, but no resulting trust was found for the person paying the greater consideration under 67-408(3). The court said:

"However, it might be shown that by agreement made without fraudulent intent, one held an interest in trust for the other who paid a larger part of the consideration. (R. S. 67-408) Without such an agreement no trust arises when one of two grantees pays more than one-half of the consideration for the conveyance." In denying a rehearing, the court said, "In this instance there was nothing remotely resembling an agreement between James and Richard that Richard was to hold an aliquot part of half of the land on any terms for anybody."

It would appear that in this situation there is more insistence on an actual agreement than in some of the other cases before mentioned.

As might be expected, to create a purchase money resulting trust under the exception of section 67-408(3) involving an agreement to hold in trust, the purchase money or some part thereof must have been paid by the party claiming the trust at or before the time of purchase. (Kaul v. Hoenshell, 129 Kan. 278, 282 P 697). In the last case plaintiff and defendant had a conversation about the purchase of a piece of land prior to the purchase thereof by the defendant. Defendant had furnished all of the consideration at the time of purchase and thereafter refused plaintiff's tender of one-half the purchase price for a half interest. It was held that no trust arose under the statute. A further

illustration of this principle is the case of Grantham v. Connor, 97 Kan. 150, 154 P 246. Here the plaintiff owned an option on real estate, and entered into an oral contract with the defendant's testator whereby it was agreed that the defendant's testator would exercise the option and pay the entire consideration, take the conveyance in his own name, and account to the plaintiff for one-half the profits resulting from a sale. Since the plaintiff had paid no part of the purchase price, no trust was raised under the agreement.

In many cases the facts of a purchase money situation are present simultaneously with enough facts to raise a constructive trust on the theory of unjust enrichment. Shields v. Johnson, 124 Kan. 155, 257 P 926, was such a case. In that case a father and daughter each paid one-half of the purchase money for a house in which they made their home. The title was vested in the name of the daughter only and upon their disagreement the father contended for a resulting trust under section 67-408(3). The problem of an agreement was met by the court with language which indicates that the compelling reason for the decision to create a trust was based on the theory of unjust enrichment rather than on the theory of the presumed intention of the parties but neither theory was relied upon solely. The court said:

"It is urged that such a trust concerning the real estate was not created because it was not in writing, signed by the plaintiff, citing R. S. 67-401. That provision, however, excepts such trusts as may arise by implication of law, and as we have seen the confidential relation of the parties and the circumstances unite in showing that it was the intention of the parties to create a trust, that there was an obligaion on plaintiff to hold the property for the benefit of both, and under the circumstances it would be inequitable for the plaintiff in whom the legal title was placed, to hold the property as against the joint owner, her father."

In the case of Commissioner of Internal Revenue v. Molter, (10th C. C. A. 60 Fed. 2d 498), the first exception to section 67-408 was drawn into service by the court to raise a resulting trust in realty. It will be remembered that this exception to the statutory ban on purchase money trusts arises when the "alienee shall have taken an absolute conveyance in his own name without the consent of the person with whose money the consideration was paid. In the Molter case, the Commissioner disallowed the "depletion of oil reserves credit" on the tax returns of Mrs. Molter on the ground that she owned no interest in the land, the legal title being shown in the husband. The evidence showed that in the early years of their marriage, both the husband and the wife had contributed to the cash consideration for the purchase of the realty in question and Mrs. Molter had signed the note securing the balance as a principal. The court held that Mrs. Molter had not *consented* to the taking of the title in the name of Mr. Molter, and raised a purchase money resulting trust in one-half the realty for her. This notwithstanding the fact that the parties had been married for years and no complaint had been made as to the state of the title. Here again the court mentioned the confidential relation of the parties but there had been no breach of confidence, and this was not a situation where one of the parties would have been unjustly enriched so as to give rise to a trust on that theory. It would appear from the cases that perhaps here too an "agreement" to hold without fraudulent intent could have been proved under the evidence.

The plaintiff must sustain the burden of proof that there was an "agreement". Some cases have resulted in no trust for the failure of plaintiff to sustain the burden. In the

case of Gantz v. Bondurant, 159 Kan. 389, 155 P 2d 450, the jury, in an action to impress a resulting trust on land found no "agreement", which fact concluded the plaintiff's case. Likewise in the case of Mitchell v. Skinner, 17 Kan. 563, it was found that there was no "agreement" by the transferee to hold for the person paying the consideration, therefore no resulting trust arose. There is much authority for the proposition of what is sufficient evidence to sustain the finding of a purchase money trust under the statute, but the comments in the cases where proof fails are not elaborate. In the Skinner case it was said, "No facts are shown to bring the parties within the exceptions of sections 7 and 8, referred to in section 6 [Now G. S. 1949, 67-406, 407, 408.]

[To Be Continued]

BOOK NOTICE

FEDERAL INCOME TAXATION OF INDIVIDUALS, by Weston Vernon, Jr., of the New York and District of Columbia Bars, Lillian Malley Vernon of the New York and Connecticut Bars and Stuart E. Keebler of the New York Bar. Published by the Committee on Continuing Legal Education of the American Law Institute collaborating with the American Bar Association, 133 South 36th Street, Philadelphia 4, Pennsylvania. May, 1955. $2.50 per copy. 150 pages.

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HASH

Country Style

By R. S. BARNETT

5707 Cherry Street, Kansas City, Missouri

Jim Engle has resigned from the state board of welfare to open an office at Ellis. Seems Charlie Niernberger, who has been at Ellis since he mustered out after World War II, is going to South Dakota with an oil company. I hope both boys do well at the several stations.

George Powers of Wichita comes up with a new one—at least new to me. He has been invited to become a member of the "College of American Trial Lawyers." The clip I received gives George a "L" of a send-off. It must be quite the thing. Congratulations, George. After August 20 come back and tell us about it. I, for one, would like to know more about it.

Reuben Weatherford is a newcomer to Montgomery county—plans on opening an office in Independence in the Professional Building. I hope the clients come early and stay late.

Dick Sangster opens an office in Junction City, as of about July 15. Looks like Junction City has an attraction for young lawyers. There have been all of a half-dozen open there in the last three or four years.

Scott Traylor, a Washburn graduate, has gone back home—Springfield, Missouri—to practice. Scott has been out for some three years, and is doing very well. He is in with one of the larger firms, occupying office space only. It was good to see Scott and we had a good visit about Kansas.

Bill Stevick has been named general counsel for the state labor department, succeeding Lynn Smith who wended his way out to Minneapolis to practice in Leo McNalley's town. I haven't heard from Lynn. I better see him some day soon. To Bill in the upstairs spot, good going, Bill.

Addington, Jones, Davis and Haney are opening a branch office in Horton, Kansas. I am not just sure what the facts are. Seems Bill Haney was appointed city attorney of Horton, by the city commission. I am not sure whether the office is a convenience to the city, or whether they intend to enter in the general practice in Brown county. The "clip" I have is not very clear. Anyhow, I hope everyone concerned is happy.

Ronald Richey has moved to Hutchinson to take over as vice-president and general counsel of the Central Plains Insurance Company. I heard from Ronald a day or two after I had made Hutchinson. I'll be back, Ronald, in a short time.

Speaking of Hutchinson, Jack Atherton has left Hutchinson to get back home—Emporia—and has joined the Beck-Mellinger firm. Earl Shurtz is leaving the firm to become a full-time instructor at K. U.—this, I think, beginning with the fall term. Jack is an Emporia boy—just going back home.

I got a clip with a picture attached from the Wichita Eagle, showing Johnie and Satt receiving congratulations—one from another. As near as I can see, Johnie seems to be high-lighting the picture. The article goes into a review of who did what for which. I don't know who wrote the article.

It reads like Ernie Worden, but he is a Beacon reporter. After a great deal of deduction, I came up with the conclusion Sattgast is the new district judge for Division 6 in Sedgwick county. Congratulations, Satt, I'll be down to see you.

Bernie Borst and Ray Overpeck have become associated with Ratner, Mattox and Ratner of Wichita. Bernie practiced a year at Lawrence before making the cahnge.

Fifty-two new lawyers are descending upon the Kansas Bar. I don't know how many are "opening up" on their own, but to all who do and to those who don't—would like to wish them well on their admittance to the Kansas Bar.

The city court of Wichita has been changed to "court of common pleas." This, I understand, is on a new statute—gives them a broader power. There are three divisions now.

Bob Earnest and Glenn Neumeyer—both boys having just passed the June Bar exams—are opening up as a firm over the Russell State Bank, Russell, Kansas. I know the Russell Bar will welcome them. I wish them luck.

George Reynolds of Eureka, at one time, left to take a job with the State in Topeka. George just got settled in the new job when Clay Carper died. George was appointed to Clay's place on the bench, and has since moved back to Eureka. I know George will like the bench, and the lawyers will like George as a district judge.

Speaking about Clay Carper, I saw Clay at Eureka just before the Bar meeting. He was making plans to attend the judges' meeting and the Bar as well. Little did he think he would not get there. Clay died too soon and too young. He was my good friend.

Judge Emerson, late of the Wyandotte court, I see by the papers, is not too well. He has been hospitalized for some time.

Mrs. Charles Hudson of Wichita is in the hospital, and has been for five months. Saw Charlie recently. He was pretty much taken by the turn of events. Charlie, I hope she is better before this appears in print.

Ozzie Oswald of Hutchinson seems to be doing the unusual again—he has built a new office in Hutchinson. Just getting in and settled as the Bar meet came on. The office is a snazzie affair—operating under the firm name of Oswald, Mitchell and Thiessen.

Eric Jernberg of Lindsborg has been some sick with some childish ailment for a couple of weeks. John Altenberg told me when I saw him last that Eric had had quite a siege of sickness. He should be out by now.

Casey Jones of Olathe spent a month in the hospital with an operation that didn't mend too rapidly. Casey did say he was hundred per cent again as of now. Casey, a hospital is no place to vacation.

Dallas Potts of Wichita died during June. Dallas was a young man. I don't remember how old, but in his early 50's as I remember. He, too, went unexpectedly. I had a warm spot in my heart for Dallas.

I see by the Wichita Eagle Senator George McGill has come back to practice in Wichita. George has had a long go of both public and private life. Better sit down, George, and take it easy. It is later than you think.

Judge Bill Kandt of Sedgwick has some ideas on "pre-trial" that are of interest. His report represents a lot of time and thought.

A. J. Stanley retires from the practice and the firm of Stanley, Stanley, Schroeder, Weeks and Thomas of Kansas City, Kansas, as of about June 1. A. J., as we know him, has been a lawyer, and a good one, for almost 50 years, he being 82 years of age. He is going back to Lincoln, Kansas, his birthplace, to renew old acquaintances and visit with old friends. When I get out there, A. J., I am going to look you up—and I'll be glad ot see you.

Bill Fry, formerly of the Oklahoma Bar, was admitted to the state Bar in June. Bill is in Payne Ratner's office at Wichita. Bill, you will like it up here.

My old friend Oscar Yount of Galena who practiced 50 years—47 of them in Cherokee county—has been rewarded with a new ground floor office on the main stem of the town. The picture looks like a modern front—glass and brick veneer—a very attractive looking building, indeed. Congratulations, Oscar. I hope the next 50 years will be as good to you as the past 50.

The Ellis County Bar took a day off and went fishing. I don't know, but I will lay a little bet that Henry Herrman caught the biggest fish. Moreover, I would lay another one—Henry thought up the idea. I bet Art Wiles went along.

Ora McClellan appears in the Eagle as of June 26 in a picture with other notables, taken in Washington, D. C. It has the man-about-town appearance, and appears particularly striking because he occupies the center of the group. What do you have to do—get away from home to be honored? Or don't the home folks know about you?

Henry Asher of Lawrence has been honored with a 50-year certificate by the Douglas County Bar, at a dinner held recently in Lawrence. Henry should have had this award at Hutchinson during the state meet, but Henry couldn't attend—hence the Lawrence meeting. Congratulations, Henry, and 50 years more.

Bill Scott of Abilene, and lately of the labor relations board, in the Kansas City office, died on July 23 at the veterans' hospital in Kansas City. Bill and Thornton started out together in Abilene in the late 20's. Thornton died in the probate judge's office in Abilene, after Bill had come to Kansas City. I think the brothers were natives of Herington. I know Bill had an office there when I first met him.

P. K. Smith and Francis McMasters are the latest new firm in Wichita. I don't know, but assume P. K. will continue in the present Brown Building address and Francis will move in. I also assume Russell Schultzer will continue on with the new firm.

Bob Hettinger of Hutchinson, I see, plans on going home to practice with his father, F. B. Hettinger. I hope Frank, the ex-district judge, can do as well by Bob as his father and uncle did for him—back in the twenties. There was a time the office had a combined name of three Hettingers on the door, and that not too long ago.

Ken Bridges of Wichita came by the house this morning—told my wife he was leaving for California, permanently, would I sell some law books for him. These were left on my front porch. O.K., Ken, I'll do it and remit in turn. Better send me your new address in California.

The Hash for this issue is a little thin. I haven't been out since the 15th of June to do any traveling over the state. Wichita and Kansas City, Missouri, have seen quite a great deal of me. I'll have more with the fall trips coming up.

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1955-1956

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Two Years—Riegle, Murray, Shriver
Three Years—Boddington, Becker, Royce and Porter

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One Year—Hunter, Spencer, Schmidt
Two Years—Grant, Russell, Foss
Three Years—Somers, Van Cleave, Humphrey

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T. F. Railsback.....Kansas City
Geo. B. Powers, *Ex-Officio*.....Wichita

One Year—Darlington, Hall, Railsback
Two Years—Davis, O'Keefe, Coombs
Three Years—Garvin, Church, Falconer

LEGAL EDUCATION AND ADMISSIONS

Fred J. Moreau, *Chairman* .....Lawrence
Nona E. Snyder.....Kansas City
George Stallwitz .....Wichita
Ford Harbaugh .....Wellington
Harry W. Fisher .....Fort Scott
Schuyler W. Jackson.....Topeka
T. M. Lillard, Jr.....Salina
Dale Corley .....Garden City
Lawrence Christenson .....Winfield
Wm. M. Mills, Jr., *Ex-Officio*.....Topeka

One Year—Snyder, Stallwitz, Harbaugh
Two Years—Lillard, Christenson, Corley
Three Years—Jackson, Moreau, Fisher

LOCAL BAR ASSOCIATIONS

Charles E. Jones, *Chairman* .....Wichita
Frank G. Theis .....Arkansas City
Charles E. Henshall .....Chanute
Charles Rauh .....Hutchinson
Robert Ferguson .....Marysville
Knowlton Carson .....Kansas City
Philip Buzick .....Topeka
Vincent Fleming .....Larned
Wallace T. Wolfe.....Oberlin
Alex M. Fromme, *Ex-Officio*.....Hoxie

One Year—Wolfe, Theis, Henshall
Two Years—Carson, Rauh, Jones
Three Years—Ferguson, Buzick, Fleming

ADVISORY

N.W. Bar—J. C. Tillotson.....Norton
S.W. Bar—Arthur Hodgson.....Lyons
Central Bar—Sam Mellinger.....Emporia
Wichita Bar—James Dye.....Wichita
S.E. Bar—Elmer Columbia.....Parsons

PROGRAM

Fred Conner, *Chairman*.....Great Bend
H. M. Immel.....Iola
John A. Herlocker .....Winfield
Hal Harlan .....Manhattan
Thomas H. Finigan.....Kansas City
Donald Patterson .....Topeka
Robert Gilliland .....Hutchinson
Phil Lewis .....Topeka
Clement Hall .....Coffeyville
Wm. M. Mills, Jr., *Ex-Officio*.....Topeka

One Year—Immel, Harlan, Finigan
Two Years—Gilliland, Herlocker, Conner
Three Years—Patterson, Lewis, Hall

HISTORICAL

Beryl R. Johnson, *Chairman*.....Topeka
B. M. Dunham .....Chanute
Carl Ackarman .....Sedan
Dallas Knapp .....Coffeyville
Malcolm McNaughton .....Leavenworth
J. C. Ruppenthal .....Russell
W. F. Lilleston.....Wichita
Alex Miller .....Salina
Maurice Wildgen .....Larned
Wm. M. Beall, *Ex-Officio*.....Clay Center

One Year—Dunham, Ackarman, Johnson
Two Years—Ruppenthal, McNaughton and Miller
Three Years—Lilleston, Knapp, Wildgen

PUBLIC RELATIONS

Clark A. Wallace, *Chairman*.....Kingman
Jerome Harman .....Columbus
John E. Blake.....Kansas City
Verne M. Laing .....Wichita
J. Donald Lysaught.....Kansas City
Paul R. Wunsch.....Kingman
Thomas D. Hampton, Jr.....Fredonia
Richard A. Barber .....Lawrence
R. A. Hickey.....Liberal
Roy C. Davis.....Hutchinson
Robert L. Marietta.....Salina
A. G. Johnson.....Wichita
Herman W. Smith, Jr.....Parsons
W. N. Van Slyck, Jr. .....Topeka
Geo. B. Powers, *Ex-Officio*.....Wichita

One Year — Harman, Blake, Laing, Lysaught, Wallace
Two Years — Wunsch, Hampton, Davis, Hickey, Barber
Three Years—Marietta, Johnson, Van Slyck, Smith

CITIZENSHIP

Vernon Coss, *Chairman* .....Medicine Lodge
Leon N. Roulier.....Colby
William Roy Kirby.....Coffeyville
E. Keith Beard .....Meade
Robert Stone Johnson.....Topeka
George R. Lehmberg.....McPherson
Delmas C. Hill.....Wichita
William Wagner, Jr. .....WaKeeney
D. Arthur Walker.....Arkansas City
Arthur J. Mellott .....Kansas City
Robert M. Bond .....El Dorado
Wesley E. Brown, *Ex-Officio*....Hutchinson
One Year—Beard, Johnson, Bond, Wagner
Two Years — Roulier, Kirby, Lehmberg, Mellott
Three Years—Walker, Hill, Coss

ILLEGAL PRACTICE OF THE LAW

C. W. Hughes, *Chairman*.....Dodge City
James K. Cubbison.....Kansas City
Clayton Davis .....Topeka
Donald Hickmon .....Arkansas City
L. Perry Bishop.....Paola
Don Postlethwaite .....St. Francis
Jay W. Scovel, *Ex-Officio*.....Independence
One Year—Hughes, Davis
Two Years—Bishop, Postlethwaite
Three Years—Cubbison, Hickmon

LEGAL INSTITUTES

Sam Mellinger, *Chairman* .....Emporia
Charles W. Lowder.....Kansas City
Frank Oberg .....Clay Center
Thomas C. Lysaught.....Kansas City
Robert A. Anderson.....Ottawa
Jerome Harman .....Columbus
J. N. Snyder .....Leavenworth
Sam W. G. Lowe .....Colby
Robert M. Finley.....Hiawatha
C. Harold Hughes .....Manhattan
Robert L. Briley.....Chanute
Tom L. Schwinn .....Wellington
Arno Windscheffel .....Smith Center
Kenneth Speir .....Newton
Wendell Holmes .....Hutchinson
Oliver D. Rinehart .....Paola
J. S. Brollier.....Hugoton
Robert McClure .....Topeka
Jack Greene .....Wichita
James E. Taylor.....Sharon Springs
Lawrence Weigand .....Wichita
H. H. Dunham.....Salina
F. J. Moreau .....Lawrence
Schuyler W. Jackson .....Topeka
F. C. Bannon, *Ex-Officio*.....Leavenworth

STANDARDS FOR TITLE EXAMINATIONS

Melvin Quinlan, *Chairman* .....Topeka
Hugh Brownfield .....Kansas City
Auburn G. Light.....Liberal
Wilbur H. Jones.....Wichita
Lloyd H. Ruppenthal.....McPherson
John O'Brien .....Independence
F. M. Rogers.....Wellington
D. C. Martindell.....Hutchinson
T. B. Kelley.....Great Bend
A. R. Lamb.....Coffeyville
Margaret McGurnaghan .....Topeka
Wm. M. Beall, *Ex-Officio*.....Clay Center

UNIFORM COMMERCIAL CODE

Stanley E. Toland, *Chairman*.....Iola
William A. Kahrs.....Wichita
J. Logan Shuss.....Parsons
Charles D. Stough.....Lawrence
Steadman Ball .....Atchison
Fred E. Gulick.....Topeka
H. Jay Gunnels.....Kansas City
Clayton Brenner .....Olathe
Basil W. Kelsey .....Ottawa
J. Milton Sullivant .....Kansas City
H. O. Janicke, *Ex-Officio*.....Winfield

JUNIOR BAR SECTION

Robert Martindell, *Chairman* ....Hutchinson
John H. Shaffer.....Hutchinson
C. Robert Deeds.....Wichita
Robert J. Roth.....Topeka
Albert M. Ross .....Topeka
Patrick Thiessen .....Hutchinson
Dean Gibson .....Concordia
D. B. Lang, *Ex-Officio*.....Scott City

RELATIONS WITH ABSTRACTERS

Marlin S. Casey, *Chairman*.....Topeka
Bill Miller .....Hutchinson
J. Robert Wilson .....Manhattan
William S. Eddy .....Marysville
C. W. Mitchell .....Cherryvale
C. E. Beymer.....Lakin
Harold L. Blake .....Wichita
Jay W. Scovel, *Ex-Officio*.....Independence

TAXATION

Harold Schroeder, *Chairman*.....Topeka
Ervin Johnston .....Kansas City
Mark L. Bennett.....Topeka
John Buehler .....Atchison
Henry H. Asher .....Lawrence
Oscar F. Belin.....Wichita
Eugene P. Zuspann .....Goodland
Frank Liebert .....Coffeyville
Alex M. Fromme, *Ex-Officio*.....Hoxie

SELECTION, TENURE AND RETIREMENT OF JUDGES

Donald J. Magaw, *Chairman* .....Osborne
Edgar C. Bennett .....Newton
Lloyd M. Kagey .....Wichita
William H. McHale.....Kansas City
Howard C. Kline .....Wichita
Paul Wilbert .....Pittsburg
A. R. Buzick.....Salina
Hugo T. Wedell.....Wichita
D. B. Lang, *Ex-Officio*.....Scott City

RELATIONS WITH THE MEDICAL PROFESSION

William Tinker, *Chairman*.....Wichita
Donald R. Newkirk.....Wichita
Ralph Thorne .....Hutchinson
Simeon Webb .....Pittsburg
George E. Ramskill.....Burlingame
Edward Curry .....Topeka
Blake A. Williamson .....Kansas City
Wm. Cunningham .....Arkansas City
James Rexroad .....Hutchinson
Wesley E. Brown, *Ex-Officio*....Hutchinson

LAWYER REFERRAL SERVICES

Everett E. Steerman, *Chairman* .....Emporia
A. J. Stanley, Jr. .....Kansas City
Ray Briman .....Topeka
Wm. Burnett .....Hutchinson
Perry Owsley .....Pittsburg
Leo Rupar .....Leavenworth
J. W. Lowry.....Atchison
Byron Brainerd .....Wichita
C. L. Clark .....Salina
Wm. M. Mills, Jr., *Ex-Officio* .....Topeka

RELATIONS WITH LAY ADJUSTERS

Ora McClellan, *Chairman*.....Wichita
Douglas G. Hudson.....Fort Scott
Eugene T. Shields.....Dighton
J. R. Rhoades.....McPherson
Norman Jeter .....Hays
Geo. B. Powers, *Ex-Officio*.....Wichita

RELATIONS WITH TRUST BANKERS

Henry V. Gott, *Chairman*.....Wichita
B. M. Dunham.....Chanute
Dean McElhenny .....Topeka
Edwin C. Brabets .....Hutchinson
Carl V. Rice .....Kansas City
Wm. H. Vernon.....Larned
Aubrey Neale .....Coffeyville
F. C. Bannon, *Ex-Officio*.....Leavenworth

RELATIONS WITH REALTORS

Wendell L. Garlinghouse, *Chairman* Topeka
Lester L. Morris .....Wichita
Hylton Harman .....Kansas City
Robert Jones .....Hutchinson
Clayton Flood .....Hays
L. A. McNalley .....Minneapolis
Roy V. Nelson .....Hiawatha
Jerome Harman .....Columbus
John H. Morse .....Mound City
Geo. B. Powers, *Ex-Officio* .....Wichita

IMPROVEMENT OF LAWS AND PROCEDURE

Wm. C. Kandt, *Chairman* .....Wichita
Paul H. Heinz.....Topeka
Lewis L. McLaughlin .....Marysville
Rex A. Lafferty .....Fredonia
Eugene Hackler .....Olathe
Thomas M. Lillard.....Topeka
George Templar .....Arkansas City
Spencer A. Gard .....Iola
Willard L. Phillips .....Kansas City
D. C. Martindell.....Hutchinson
Leonard O. Thomas .....Kansas City
Vernon L. Williams.....Wichita
James Putnam .....Emporia
Jay Sullivan .....Emporia
W. B. Ryan .....Norton
Eugene Davis .....Topeka
Paul Wunsch .....Kingman
Jay W. Scovel, *Ex-Officio*.....Independence

RELATIONS WITH C.P.A.'s

Phil Lewis, *Chairman* .....Topeka
L. J. Bond .....El Dorado
James Dye .....Wichita
P. H. Willems .....McPherson
Carl T. Smith .....Wichita
Wm. M. Ferguson, *Ex-Officio* ..Wellington

SPECIAL INSURANCE

Otis Allen, *Chairman*.....Topeka
Clayton Kline .....Topeka
Barton Griffith .....Topeka
James E. Smith .....Topeka
Roy C. Davis.....Hutchinson
J. Wirth Sargent.....Wichita

MEMBERSHIP ROLL—1955

OF THE BAR ASSOCIATION OF THE STATE OF KANSAS

(Alphabetically by Names of Cities)

ABILENE (DICKINSON—5th Dist.)
James E. Ahearn, P.O. Box 422
Harold Bolton, Box 416
W. A. Guilfoyle, Case Bldg.
John H. Lehman, Case Bldg.
Paul H. Royer, Box 422

ALMA (WABAUNSEE—2nd Dist.)
Victor Hergenreter
James E. Parmiter

ANTHONY (HARPER—7th Dist.)
Ronald D. Albright
Martin S. Hall, 115 Jennings Ave.
Max D. Hall, 115 N. Jennings Ave.
W. G. Muir, Box 311

ARKANSAS CITY (COWLEY—4th Dist.)
Wm. E. Cunningham
Kirke W. Dale, Box 621
Grover L. Dunn, Box 434
Hattie Franey, Crescent Bldg.
Donald Hickman, Box 621
William R. Howard, Box 626
Norman M. Iverson, Box 189
Tom Pringle, A. C. Office Bldg.
George W. Stanley, Burford Bldg.
George E. Sybrant, A. C. Office Bldg.
George Templar
Ted Templar, Box 608
Frank G. Theis, Box 492
D. Arthur Walker, Walker Bldg.
Doyle E. White, 400 East Fifth Ave.
Earle N. Wright, 310-2 AC Office Bldg.

ASHLAND (CLARK—5th Dist.)
Robert M. Baker, Court House
Willis A. Shattuck

ATCHISON (ATCHISON—1st Dist.)
Steadman Ball, Blair Bldg.
John E. Buehler, P. & L. Building
Lawrence F. Day, Court House
Robert F. Duncan, 910 N. 11th
Gerald Foley, Professional Bldg.
J. W. Lowry, Blair Bldg.
J. S. May, Box 223
Maurice P. O'Keefe, Professional Bldg.
Edmund L. Page, Blair Bldg.
Karl W. Root, Professional Bldg.
William E. Stillings, Blair Bldg.
B. P. Waggener, Professional Bldg.

ATWOOD (RAWLINS—8th Dist.)
Forest W. Brown
C. A. P. Falconer, Box 673
Robert J. Lewis, Box 673

AUGUSTA (BUTLER—4th Dist.)
R. A. Cox, Box 666
Morris Moon, Jr., 418½ State
Fred R. Vieux

BAXTER SPRINGS (CHEROKEE—3rd Dist.)
Wm. P. Meek, 603 E. 13th

BELLEVILLE (REPUBLIC—5th Dist.)
James W. Bouska, 2107 G Street
Percy H. Collins, 1706 M Street
Fred Emery, Sharp Bldg.
Henry H. Van Natta, Court House

BELOIT (MITCHELL—8th Dist.)
R. L. Hamilton
Harold N. Jordan, 1st Natl. Bank Bldg.
Don Noah, Box 298
Ralph H. Noah, 109 S. Elm
Tweed Ross, Box 527
W. N. Tice, 1st Federal Savings & Loan Assn.

BURLINGAME (OSAGE—2nd Dist.)
George E. Ramskill, First State Bank
Veva Light Ramskill, First State Bank

BURLINGTON (COFFEY—4th Dist.)
William Buckles, Peoples Natl. Bank Bldg.
Frank T. Forbes, Box 209
L. R. Hannen
Robert S. Luke

CALDWELL (SUMNER—6th Dist.)
Don B. Stallings

CANEY (MONTGOMERY—3rd Dist.)
Jake L. Liberman, 301 W. 4th St.
Orlin L. Wagner, 400 E. Fifth Ave.
George H. Wark, Box 235

CHANUTE (NEOSHO—3rd Dist.)
Robert N. Allen, 3 S. Santa Fe
Joe Balch
Robert L. Briley
George W. Donaldson, Barnes Bldg.
B. M. Dunham, Judge 7th Jud. Dist.
Charles E. Henshall, 5½ E. Main Street
John C. McCall
L. Robert Pennington, Box 484

CHERRYVALE (MONTGOMERY—3rd Dist.)
C. W. Mitchell

CHETOPA (LABETTE—3rd Dist.)
Dan R. Aul, City Building

CIMARRON (GRAY—9th Dist.)
Bernie D. Frigon
John Staley Holden
Chesterman C. Linley
Lester Luther, Luther Bldg.

CLAFLIN (BARTON—7th Dist.)
Charles L. Buehler

CLAY CENTER (CLAY—5th Dist.)
Elmer Anderson, 510 Lincoln
W. M. Beall
C. Vincent Jones
Frank D. Oberg, 703 Fifth Street
Wayne W. Ryan
H. L. Sheppeard, 721½ Fifth Street

COFFEYVILLE (MONTGOMERY—3rd Dist.)
Richard L. Becker, Columbia Bldg.
Raymond Belt, Plaza Bldg.
Alvin F. Grauerholz, Box No. 361
Clement H. Hall, Columbia Bldg.
Morris D. Hildreth, Columbia Bldg.
William Roy Kirby, Columbia Bldg.
Charles D. Knapp, Terminal Bldg.
Dallas W. Knapp, Terminal Bldg.
A. R. Lamb, 719 Walnut St.
Joe L. Levy, Columbia Bldg.
Frank W. Liebert, Terminal Bldg.
T. Richard Liebert, Terminal Bldg.

Aubrey Neale, Plaza Bldg.
Glenn L. Tongier, Columbia Bldg.
Carl E. Ziegler, Box 465
COLBY (THOMAS—8th Dist.)
E. F. Beckner, Connelly Bldg.
Sam W. G. Lowe
Leon N. Roulier, Box 517
Gerald C. Stover, 230 South Grant
Keith R. Willoughby, Box 118
COLDWATER (COMANCHE—9th Dist.)
Jay T. Botts
Harold S. Herd, 110 S. Central
Horace H. Rich
COLUMBUS (CHEROKEE—3rd Dist.)
Paul Armstrong, Box 135
Marc G. Boss
V. J. Bowersock
Jules Doty
Jerome Harman, 715 West Maple
Joe Henbest
L. R. Mulliken
Robert T. Patterson, Box 65
CONCORDIA (CLOUD—5th Dist.)
Marvin O. Brummett, 212½ West 6th St.
William B. Buechel, Fidelity State Bank Bldg.
Gordon D. Danielson
Dean Gibson
Clarence H. Paulsen, Fidelity State Bank Bldg.
Lee R. Stanford, 219 W. Sixth St.
M. V. B. Van De Mark
Charles A. Walsh
COTTONWOOD FALLS (CHASE—4th Dist.)
Karl W. Masoner, Box 368
COUNCIL GROVE (MORRIS—5th Dist.)
Donald E. Brown
Marlin Brown
David H. Heilman, Box 122
Walter E. Hembrow
Harry M. Tompkins
DIGHTON (LANE—9th Dist.)
J. E. Mowery
Eugene T. Shields
DODGE CITY (FORD—9th Dist.)
Richard W. Evans, Masonic Temple Bldg.
George Gould, Jr., 505 First Ave.
Geo. R. Gould, 505 First Ave.
Collis Russell Harner, First Natl. Bk. Bldg.
C. W. Hughes, First Natl. Bank Bldg.
R. R. Mitchell, 619 First Ave.
Robert E. Lee Walker, 711 W. Spruce
James A. Williams, Box 1088
EDWARDSVILLE (WYANDOTTE—1st Dist.)
Clifford A. Bantleon
EL DORADO (BUTLER—4th Dist.)
George J. Benson, 125½ W. Central Ave.
L. J. Bond, El Dorado Natl. Bank Bldg.
Robert Bond, El Dorado Natl. Bank Bldg.
W. N. Calkins, Judge 13th District
O. J. Connell, Jr., 218 W. Central
W. H. Coutts, Jr., Citizens State Bank Bldg.
Roy B. Darlington, Box 790
Robert M. King, Box 111
Fred J. Leasure, Box 1044
M. F. Litras, 116½ W. Central Ave.
Allyn M. McGinnis, Box 5
Walter F. McGinnis
J. B. McKay, Masonic Bldg.
J. B. McKay, Jr., Masonic Bldg.
Clem H. Silvers, 125 W. Central Ave.
Pauline Woodward (Mrs.), Box 111
R. C. Woodward, Box 111
ELKHART (MORTON—9th Dist.)
Raymond Gates
Edgar W. White
ELLINWOOD (BARTON—7th Dist.)
G. I. Robinson
Robert E. Southern
ELLIS (ELLIS—8th Dist.)
Charles G. Niernberger, Box 232
ELLSWORTH (ELLSWORTH—5th Dist.)
Paul Aylward
V. E. Danner
R. E. Miller
George D. Miner
John V. O'Donnell, Box 456
ELMDALE (CHASE—4th Dist.)
William B. Pringle
EMPORIA (LYON—4th Dist.)
George Allred, Columbia Bldg.
E. A. Baldwin, Box 261
Clarence V. Beck
W. J. Dick, 1124 Neosho
Champ Graham, Citizens Natl. Bank Bldg.
Roscoe W. Graves, Emporia State Bank Bldg.
Lacy Haynes, Jr., Citizens Bldg.
Roy U. Jordan, Box 82
Richard Mankin, 14 W. 6th Ave.
Samuel Mellinger
Kenneth Peery, Ropfogel Bldg.
Elvin D. Perkins, Citizens Natl. Bank Bldg.
James W. Putnam
L. W. Raynolds, Citizens Natl. Bank Bldg.
E. H. Rees, Citizens Bank Bldg.
Roy W. Riegle, Jr., Box 383
Wilford Riegle, Palace Bldg.
Earl B. Shurtz, 1401 Neosho
Dale A. Spiegel, Emporia State Bank Bldg.
Everett E. Steerman, Citizens Natl. Bank Bldg.
Jay H. Sullivan, District Judge
ERIE (NEOSHO—3rd Dist.)
Clark M. Fleming, 417 N. Main
Charles F. Forsyth
ESKRIDGE (WABAUNSEE—2nd Dist.)
William K. Waugh, Jr., Security State Bank Bldg.
EUREKA (GREENWOOD—4th Dist.)
Harvey D. Ashworth, Citizens Natl. Bank Bldg.
Carl C. Chase, Crebo Bldg.
Harold G. Forbes, Citizens Natl. Bank Bldg.
Thomas C. Forbes, Citizens Natl. Bank Bldg.
Edward A. Hibbard, Hibbard Abst. Co.
Edward E. Pedroja, Greenwood Motor Bldg.
FORT SCOTT (BOURBON—3rd Dist.)
E. E. Blincoe, 1½ No. Main Street
Harry W. Fisher
Douglas Hudson, Marble Bldg.
Douglas G. Hudson, Marble Bldg.
Howard Hudson, Marble Bldg.
Glenn H. Louderback, Louderback Office Bldg.
Frank O'Brien, Marble Bldg.
Walter B. Patterson, Marble Bldg.
Buford L. Shankel, 1½ No. Main Street
FRANKFORT (MARSHALL—5th Dist.)
William M. Shaffer, Citizens Natl. Bank Bldg.
FREDONIA (WILSON—3rd Dist.)
John W. Cramm, 610½ Madison
Thomas D. Hampson, Jr.
Rex A. Lafferty

Donald C. Vosburgh, Box 282
GALENA (CHEROKEE—3rd Dist.)
Jim Shaw, 600-1-2 Main St.
Oscar M. Yount
GARDEN CITY (FINNEY—9th Dist.)
Dale H. Corley, 114 W. Pine
Clyde P. Daniel, 123 West Pine
Arthur M. Fleming, 702 Third
Clifford R. Hope, Jr., 118½ Grant-Keller Bldg.
Dale Saffels, 118½ Grant
Harrison Smith, Garden Natl. Bank Bldg.
Bert J. Vance, Walters Bldg.
Duane E. West, 1301 New York Ave.
GARFIELD (PAWNEE—9th Dist.)
Cecil E. Merkel, Jr.
GARNETT (ANDERSON—3rd Dist.)
Orville J. Cole
Roy L. Cole, Box 86
Clark Howerton
Wayne Loughridge
Gwinn G. Shell, Box 128
Bert L. Woods
GIRARD (CRAWFORD—3rd Dist.)
Robert O. Karr
GOODLAND (SHERMAN—8th Dist.)
Elmer E. Euwer, Goodland State Bank Bldg.
Max L. Jones, 110 W. 12th Street
Thomas H. Taggart, 908 Main Street
Eugene P. Zuspann
GOVE (GOVE—8th Dist.)
R. H. Thompson
GRAINFIELD (GOVE—8th Dist.)
Charles Stewart
GREAT BEND (BARTON—7th Dist.)
Robert L. Bates, Rinker Bldg.
Leonard A. Birzer, Court House
S. R. Blackburn, Cox Bldg.
Barton Carothers, Security State Bank Bldg.
Charles L. Carroll
Fred L. Conner, 2010 Broadway
Herbert Diets, 2107 Forest Ave.
Don C. Foss, American State Bank Bldg.
Arthur P. Hagen, 1315½ Main Street
T. W. Hampton, Cox Bldg.
Boyce P. Hardman, 2107 Forest Ave.
W. W. Hiss, Cox Bldg.
Robert P. Keenan, 1401½ Main St.
T. B. Kelley, 2010 Broadway
Warren H. Kopke, Tribune Bldg.
Roy J. McMullen, Court House
Edward R. Moses, 2606 Forest Avenue
Melvin O. Nuss, Wells Bldg.
Vernon Nuss, Wells Bldg.
Isabel Obee, American State Bank Bldg.
Glenn E. Opie, 2700 16th St.
Loyd H. Phillips, 1802 Broadway
Elmer W. Roth, Wolf Bldg.
Ray S. Schulz, 1315½ Main Street
Lee Turner, Cox Bldg.
Jerry Ward, 2220 17th St.
GREENSBURG (KIOWA—9th Dist.)
Steve W. Church
GRINNELL (GOVE—8th Dist.)
Edward Beougher, Box 63
HANOVER (WASHINGTON—5th Dist.)
Thomas H. Stanosheck
HAYS (ELLIS—8th Dist.)
Bernard J. Brungardt
Doris R. Burtscher, Wiesner Bldg.
R. N. Burtscher, Wiesner Bldg.
Benedict P. Cruise, 112 E. 22nd St.
Norbert Dreiling, 110 W. 13th
Clayton S. Flood
E. C. Flood
Robert F. Glassman, Box 173
Delmas Haney, Wasinger Bldg.
Henry F. Herrman, Box 683
Norman W. Jeter, First Natl. Bank Bldg.
Reginald LaBunker, 1500 Walnut
Richard A. Mermis, First National Bank
Edgar M. Miner, Scherer Bldg.
Simon Roth, Jr., Box 363
Paul Ward, Box 270
A. J. Wiles
HERINGTON (DICKINSON—5th Dist.)
William H. Alward, Bank of Herington Bldg.
HIAWATHA (BROWN—1st Dist.)
Robert M. Finley, Finley Bldg.
L. E. Helvern, 112 S. 7th St.
Chester C. Ingels, Ingels Bldg.
Harry E. Miller, Finley Building
Roy V. Nelson, Morrill-Janes Bank Bldg.
William L. Stevenson, 112 South 7th St.
HIGHLAND (DONIPHAN—1st Dist.)
Ernest W. Rothfelder
HILL CITY (GRAHAM—8th Dist.)
C. E. Birney, 423 North Pomeroy
Marion W. Chipman
Casey Jones
W. L. Sayers
HOISINGTON (BARTON—7th Dist.)
Jerry L. Griffith, 165 W. 1st St.
John Henry Lewis, 162 W. Broadway
HOLTON (JACKSON—2nd Dist.)
Guy W. Baker
H. E. Crosswhite, Denison State Bank Bldg.
Warden L. Noe, Cope Bldg.
Donald G. Sands, Denison State Bank Bldg.
Harold Sinning
HORTON (BROWN—1st Dist.)
Clarence J. Moore
HOWARD (ELK—4th Dist.)
Hubert Horning
Noel Mullendore
Kathryn Tarwater (Mrs.)
HOXIE (SHERIDAN—8th Dist.)
Alexander Morgan Fromme, 111 North Main
Joseph W. Fromme, 111 N. Main
Ray C. Sloan
HUGOTON (STEVENS—9th Dist.)
J. S. Brollier
Don Concannon
A. E. Kramer, Box 235
L. L. Morgan
Bernard E. Nordling, Box 235
Paul A. Wolf
HUMBOLDT (ALLEN—3rd Dist.)
L. T. Cannon
Robert Stadler
HUTCHINSON (RENO—7th Dist.)
John R. Alden, Court House
John G. Atherton, 17 No. Poplar
Donald M. Bailey, Box 508
Edwin B. Brabets, Wolcott Bldg.
H. R. Branine, First Natl. Bank Bldg.
Wesley E. Brown, Wolcott Bldg.
William H. Burnett, 14 W. First
William D. P. Carey, Wolcott Bldg.

C. E. Chalfant, 1st Natl. Bank Bldg.
Bill R. Cole, 1st Natl. Bank Bldg.
Roy C. Davis, Wiley Bldg.
Harry H. Dunn, 1st Natl. Bank Bldg.
Aubrey V. Earhart, Central State Bank Bldg.
Kenneth F. Ehling, 1st Natl. Bank Bldg.
John Fontron, 40th Judicial Dist. Judge
R. J. Gilliland, Wolcott Bldg.
E. E. Glasscock, Box 987
Elmer P. Goering, American Natl. Bank Bldg.
Charles Hall, 8 Sherman St.
John F. Hayes, Wolcott Bldg.
F. B. Hettinger, First Natl. Bank Bldg.
Frank S. Hodge, Box 432
Wendell S. Holmes, 1st Natl. Bank Bldg.
J. Richards Hunter, 1st Natl. Bank Bldg.
Clair D. Hyter, American Natl. Bank Bldg.
R. Y. Jones, Wiley Bldg.
Walter F. Jones, 1st Natl. Bank Bldg.
Fred C. Littooy, 1st Natl. Bank Bldg.
D. C. Martindell, Wolcott Bldg.
R. C. Martindell, Wolcott Bldg.
Carl William Miller, Wolcott Bldg.
William L. Mitchell, 119 W. Sherman
A. Lewis Oswald, 119 W. Sherman
Raymond E. Platt, Hutchinson State Bank
Fred C. Preble, Court House
Clyde A. Raleigh, 1st Natl. Bank Bldg.
Charles Rauh, 1st Natl. Bank Bldg.
James H. Rexroad, Wiley Bldg.
H. Newlin Reynolds, Wiley Bldg.
R. K. Richey, Box 1313
Duane Roberts, Wiley Bldg.
Frank U. Russell, American Natl. Bank Bldg.
Kenneth E. Sentney, 1st Natl. Bank Bldg.
John H. Shaffer, 7 W. 19th St.
Arthur H. Snyder, 217 E. 1st
J. Clair Stevens, Wolcott Bldg.
Jack C. Stewart, Wolcott Bldg.
Arthur T. Symns, Wiley Bldg.
Albert S. Teed, Wolcott Bldg.
Patrick H. Thiessen, 107 Downing Rd.
Ralph Thorne, 1st Natl. Bank Bldg.
J. N. Tincher, Jr., 400 Hoke Bldg.
Robert E. Upp, 1st Natl. Bank Bldg.
William H. Vernon, Jr., Box 673
John J. Weber, 107 W. 20th
Abraham Weinlood, 1st Natl. Bank Bldg.
Eugene A. White, Wiley Bldg.
E. Victor Wilson, Court House
Henry P. J. Wilson, Box 1229
Bryan Woodson, Wiley Bldg.
Don Wyman, Wiley Bldg.
Max Wyman, Wiley Bldg.

INDEPENDENCE (MONTGOMERY—3rd Dist.)
Ross E. Borders
Claude J. Bryant, Box 373
Glenn Thomas Crossan
William Gough, Jr., 220 W. Park
Warren B. Grant, Court House
T. J. Hanlon, 201 S. Park Blvd.
A. H. Harding, Professional Bldg.
Walter L. McVey, Jr., Citizens Natl. Bank Bldg.
Harold Medill, Box 460
Joe W. Moss
John F. O'Brien, Box 268
O. L. O'Brien, Box 268
David H. Scott, 1201 N. Park Blvd.
Jay W. Scovel
Thomas R. Scovel
Chester Stevens
Donald W. Stewart, Box 463
Kirke C. Veeder, Veeder Bldg.

IOLA (ALLEN—3rd Dist.)
Frederick G. Apt, Box 328
Mitchell H. Bushey, Box 328
J. D. Conderman, Iola State Bank Bldg.
John O. Foust, 10½ S. Washington
Spencer A. Gard
H. M. Immel, Box 328
Frank W. Taylor, 12½ S. Washington
Stanley E. Toland, Box 404

JETMORE (HODGEMAN—9th Dist.)
Jack E. Dalton
Walter F. Stueckemann, Box 304

JOHNSON (STANTON—9th Dist.)
Max Dice
Leland E. Nordling

JUNCTION CITY (GEARY—5th Dist.)
James P. Coleman, Court House
Al B. Fletcher, Jr., Rohrer Bldg.
Howard W. Harper, 707 N. Washington St.
Phillip L. Harris, Central Natl. Bank Bldg.
C. L. Hoover, 811 N. Washington
Lee Vaughn Hornbaker, 707 N. Washington
Arthur S. Humphrey, 702½ N. Washington
James V. Humphrey, 702½ N. Washington
Charles I. Platt, 802½ N. Washington
Robert A. Schermerhorn, 811 N. Washington
William F. Stahl, 722½ N. Washington
Robert K. Weary, Central Natl. Bk. Bldg.
U. S. Weary, 804½ N. Washington

KANSAS CITY (WYANDOTTE—1st Dist.)
Bernhard W. Alden, Brotherhood Bldg.
Frank L. Bates, Getty Bldg.
Edward A. Benson, Jr., Bennett Bldg.
Robert H. Bingham, Brotherhood Bldg.
John E. Blake, Comml. Natl. Bank Bldg.
Edward M. Boddington, Huron Bldg.
E. M. Boddington, Jr., Huron Bldg.
Laird P. Bowman, Comml. Natl. Bank Bldg.
Norma Braly, Huron Bldg.
Wash H. Brown, Brotherhood Bldg.
Hugh E. Brownfield, New Brotherhod Bldg.
Melvin E. Buck, Huron Bldg.
John J. Bukaty, 727 Ann
Wm. J. Burns, Brotherhood Bldg.
David W. Carson, Brotherhood Bldg.
Knowlton E. Carson, Brotherhood Bldg.
Joseph Cohen, Huron Bldg.
Donald H. Corson, Brotherhood Bldg.
James K. Cubbison, 727 Ann
John K. Dear, Brotherhood Bldg.
M. Raymond Dillon, Huron Bldg.
Harvey J. Emerson
J. O. Emerson, Huron Bldg.
Bill E. Fabian, Comml. Natl. Bank Bldg.
Robert E. Fabian, Comml. Natl. Bank Bldg.
Alan W. Farley, Huron Bldg.
Edward Louis Fischer, Judge District Court
E. D. Fitzgibbon, 612 Tauromee
Lloyd J. Frevert, 1135 Minnesota
Louis R. Gates, Comml. Natl. Bank Bldg.
Newell A. George, Brotherhood Bldg.
H. Jay Gunnels, Jr., 5445 Chadwick
Harold H. Harding, New Brotherhood Bldg.
J. Willard Haynes, Brotherhood Bldg.

A. J. Herrod, New Brotherhood Bldg.
James L. Hogin, Brotherhood Bldg.
Kenith R. Howard, Jr., 2511 New Jersey
James D. Howell, Comml. Natl. Bank Bldg.
Frank W. Hursh, 1707 N. 41st Terrace
T. C. Hurst, Comml. Natl. Bank Bldg.
Joseph P. Jenkins, Huron Bldg.
Ervin Glenn Johnston, Brotherhood Bldg.
Thomas E. Joyce, Huron Bldg.
Albert O. Kiesow, Bennett Bldg.
Walter G. Klamm, New Brotherhood Bldg.
Jerome S. Koehler, New Brotherhood Bldg.
Eldon L. Lackey, 2605 Minnesota
Stanley L. Lind, Brotherhood Bldg.
Don Little, 819 N. 7th St.
Robert D. Loughbom, Huron Bldg.
Chas. W. Lowder, New Brotherhood Bldg.
J. Donald Lysaught, Brotherhood Bldg.
Thomas C. Lysaught, Huron Bldg.
Patrick B. McAnany, Commercial Bldg.
W. H. McCamish, Bennett Bldg.
Wm. H. McHale, Court House
Donald E. Martin, 704 N. 16th St.
Arthur J. Mellott, Federal Bldg.
Harry Miller, Jr., Court House
Marion C. Miller, Bennett Bldg.
O. Richard Millsap, Brotherhood Bldg.
C. Clyde Myers, City Court
D. William Overton, 731 Minnesota Ave.
Willard L. Phillips, Comml. Natl. Bank Bldg.
Joseph J. Poizner, 705 N. 22nd St.
T. F. Railsback, Bennett Bldg.
Carl V. Rice, Huron Bldg.
Claude L. Rice, Huron Bldg.
H. S. Roberts, Bennett Bldg.
Fred Robertson, 2219 Washington Blvd.
Jim Robinson, 2625 N. 49th
Marion George Russell, 649 Everett
Charles S. Schnider, Huron Bldg.
J. E. Schroeder, Brotherhood Bldg.
John E. Shamberg, Huron Bldg.
Gordon D. Simons, 204 Bennett Bldg.
Lewis C. Smith, Brotherhood Bldg.
Nona E. Snyder, Brotherhod Bldg.
Arthur J. Stanley, Jr., Brotherhood Bldg.
A. J. Stanley, Sr., Brotherhood Bldg.
Thomas A. Stratton, 768 County Line
Bernard B. Strayer, 5238 Belinder Ave.
Milton Sullivant, Brotherhood Bldg.
Anthony S. Thomas, Jr., 1811 Quindaro Blvd.
Leonard O. Thomas, Brotherhood Bldg.
Frank H. Thompson, Brotherhood Bldg.
Thomas M. Van Cleave, Comml. Natl. Bank Bldg.
Tom Van Cleave, Jr., Commercial Bldg.
Lee Vaughn, 727 Ann
Lee E. Weeks, Brotherhood Bldg.
Willard Graves Widder, 808 N. Washington Blvd.
Blake A. Williamson, 903 N. 7th St.
Ernest Yarnevich, Brotherhood Bldg.

KINGMAN (KINGMAN—7th Dist.)

S. S. Alexander
Martha McKenna (Miss), Box 106
Olin Stansbury, Jr., Box 183
Charles H. Stewart, First Natl. Bank Bldg.
Clark A. Wallace, Court House
Roy E. Williams, Box 204
Paul R. Wunsch

KINSLEY (EDWARDS—9th Dist.)

R. E. Batt
John A. Edling
A. L. Moffat
Jerome K. Wilson, Box 447

LA CROSSE (RUSH—9th Dist.)

Neil Hotchkiss, Box 245
E. A. Schwartzkopf
Vernon W. Weber

LAKIN (KEARNY—9th Dist.)

C. E. Beymer, Beymer Bldg.
Ralph C. Fleagle

LARNED (PAWNEE—9th Dist.)

James R. Boyd, Box 588
Vincent Fleming, 116 W. 5th St.
Roscoe E. Peterson
Glee S. Smith, Jr.
Russell L. Strobel, 501¼ Broadway
W. H. Vernon, 602 Broadway
Maurice A. Wildgen, 1024 State
Morgan Wright, Box 427

LAWRENCE (DOUGLAS—1st Dist.)

Milton P. Allen, Capitol Federal Bldg.
Richard F. Allen, Standard Life Bldg.
William Allen, 1135 Maine
Wayne Allphin, Jr., 704 Massachusetts
Henry H. Asher, Lawrence Natl. Bank Bldg.
Richard A. Barber, Lawrence Natl. Bank Bldg.
John W. Brand, Lawrence Natl. Bank Bldg.
Robert F. Ellsworth, Lawrence Natl. Bank Bldg.
Frank R. Gray, Court House
Jerry Hannah, 11th & Missouri, Apt. No. 7
Bernard L. Hausherr, 706 Massachusetts
Forrest A. Jackson, Lawrence Natl. Bank Bldg.
Walter J. Kennedy, 918 W. 4th St.
Dick Klassen, 1624 Tennessee
Jack C. Maxwell, Lawrence Natl. Bank Bldg.
George K. Melvin, 740½ Massachusetts
F. J. Moreau, Univ. of Kansas
Wesley M. Norwood, Capitol Federal Bldg.
Robert B. Oyler, 700 Massachusetts
W. B. Pendleton, 745 Tennessee
A. A. Perkins, Box 543
James L. Postma, Jayhawk Theatre Bldg.
Jean Purdy, WREN Bldg.
Charles Rankin, 1847 Barker
Raymond F. Rice, K. P. & L. Bldg.
William L. Roberts, 1140 Louisiana
Fred Six, 1732 Mississippi
M. C. Slough, School of Law, Kansas U.
Charles A. Springer, Lawrence Natl. Bank Bldg.
Richard B. Stevens, Lawrence Natl. Bank Bldg.
C. C. Stewart
Charles D. Stough, 1046 Vermont St.
Don Studley, 1231 Oread
Ed Taylor, 615 Alabama
Max Van Doren, 908 Indiana
Wayne Zeigler, 433 Ohio

LEAVENWORTH (LEAVENWORTH—1st Dist.)

F. C. Bannon, 419 Shawnee
Lee Bond, 1st Natl. Bank Bldg.
C. H. Boone, Axa Bldg.
Tom Boone, Axa Bldg.
E. Bert Collard, Jr., 6th & Delaware
Homer Davis, Mfg. Bk. Bldg.
Jesse A. Hall, Axa Bldg.
Malcolm McNaughton, 1st Natl. Bank Bldg.
John H. Murray, Mfg. Bank Bldg.
Ethan Potter, 419 Shawnee

Leo M. Rupar, Mfg. Bank Bldg.
James N. Snyder, 1st Natl. Bank Bldg.
LEOTI (WICHITA—9th Dist.)
Benjamin Hartloff
G. E. Rewerts, 1st State Bank Bldg.
Herschel L. Washington
LIBERAL (SEWARD—9th Dist.)
Grover L. Bryan, Box 871
Jimmie E. Grey, 808 N. Sherman
Richard Hickey, Miller Bldg.
Herbert Hobble, Jr., Box 510
John C. King, Box 962
Auburn G. Light
Rex A. Neubauer, Miller Bldg.
Samuel H. Riggs, Box 979
Victor H. Teagarden, Box 712
Charles Vance
Bill Wood, Box 871
Maxine Walker Wood, Court House
James R. Yoxall, Light Bldg.
LINCOLN (LINCOLN—5th Dist.)
John J. McCurdy
D. B. Marshall, Jr.
W. W. Urban
LINDSBORG (McPHERSON—5th Dist.)
John Altenborg
E. W. Jernberg, 112 No. Main
LYNDON (OSAGE—2nd Dist.)
Marian Mussatto Burns (Mrs.)
Harry T. Coffman, Tiffany Bldg.
Alex Hotchkiss, McDaniel Bldg.
Leonard W. McAnarney, Buffon Bldg.
A. K. Stavely, Court House
LYONS (RICE—7th Dist.)
Everett L. Baker, 300 W. Ave. South
Granville M. Bush, Chandler Natl. Bank Bldg.
Harold Gibson
Arthur C. Hodgson, Box 529
Rubert G. Martin
L. E. Quinlan
Georgia E. Wells (Miss), 415 S. Douglas
Frederick Woleslagel, 112½ East Ave., South
McCUNE (CRAWFORD—3rd Dist.)
Robert S. Turkington
McPHERSON (McPHERSON—5th Dist.)
George L. Allison
Russ B. Anderson, Allison Bldg.
Jack Bowker, 409 S. Maple
John K. Bremyer, 105 S. Ash
James A. Cassler, Peoples Bank Bldg.
Charles D. Johnson
Paul A. Lackie
George R. Lehmberg, McPherson & Citizens Bank Bldg.
Roger W. Lovett, Grand Building
Archie T. MacDonald, Allison Bldg.
Evart Mills, Grand Building
J. R. Rhoades, McPherson & Citizens Bank Bldg.
Lloyd H. Ruppenthal, Box 657
P. H. Willems, Grand Building
MAHASKA (WASHINGTON—5th Dist.)
Charles D. McAtee, Box 36
MANHATTAN (RILEY—5th Dist.)
Walter Reed Gage, 1840 Anderson Ave.
Hal E. Harlan, Ulrich Bldg.
Charles Hughes, Ulrich Bldg.
C. Harold Hughes, Ulrich Bldg.
Ambrose M. Johnston, Ulrich Bldg.
William G. Johnston, Ulrich Bldg.
Joseph W. Menzie, Union Natl. Bank Bldg.
Clyde K. Rodkey, 1835 Anderson
Richard D. Rogers, Box 781
J. Robert Wilson, 405-A Poyntz
MANKATO (JEWELL—8th Dist.)
George Teeple
L. E. Weltmer, 1st Natl. Bank Bldg.
L. M. Weltmer, 1st Natl. Bank Bldg.
Roderick E. Weltmer
Jess R. White, Hall Bldg.
MARION (MARION—5th Dist.)
Edward J. Costello
Roger H. Morse, Box 89
David W. Wheeler, Wheeler Bldg.
John E. Wheeler, Box 150
MARYSVILLE (MARSHALL—5th Dist.)
William S. Eddy, Box 266
Robert E. Ferguson, Draheim Bldg.
Robert F. Galloway, Professional Bldg.
Lewis L. McLaughlin, Court House
K. V. Moses, Exchange Bank Bldg.
MEADE (MEADE—9th Dist.)
E. Keith Beard, 1st Natl. Bank Bldg.
Ernest M. Vieux, Court House
David J. Wilson, 1st Natl. Bank Bldg.
J. Robert Wilson
MEDICINE LODGE (BARBER—5th Dist.)
W. Luke Chapin, Box 445
Vernon F. Coss, Box 275
J. Raymond Eggleston, Box 446
Ralph C. Hall
John W. MacGregor, Box 275
Riley W. MacGregor, Box 275
O. M. Wheat, Box 462
MERRIAM (JOHNSON—1st Dist.)
Louis A. Silks
MILTONVALE (CLOUD—5th Dist.)
J. R. Ayres
MINNEAPOLIS (OTTAWA—5th Dist.)
Evan Corman
L. A. McNalley, Box 181
Virgil R. Moen, Box 245
Lynn D. Smith, Lockhart Bldg.
MISSION (JOHNSON—1st Dist.)
John R. Keach, 5420 Johnson Drive
Robert G. Knapp, Muntzel Bldg.
Andrew A. Marsh, 6001 W. 53rd Place
Keith Martin, 5911 Reeds Road
A. J. Pflumm, Cross Building
Francis L. Smith, 5022 Rosewood Drive
W. E. Winbigler, 6218 Walmer Rd.
D. Spencer Yohe, 6028 Juniper Drive
MOUND CITY (LINN—3rd Dist.)
Leighton A. Fossey
John H. Morse
NEODESHA (WILSON—3rd Dist.)
Harry L. Depew, 109 N. Fifth
D. H. Forbes
Albert Poznik
P. W. Stephens, 502 Wisconsin
NESS CITY (NESS—9th Dist.)
Ray D. McCombs, Taylor Bldg.
Basil C. Marhofer, Christy Bldg.
NEWTON (HARVEY—6th Dist.)
Edgar C. Bennett, 309 E First
Lelus Brown, 123 E. Broadway
Claude O. Conkey, 500 Main Street
A W. Geiger, Box 259

Arnold C. Nye, 509½ Main St.
J. Sidney Nye, 509½ Main St.
Bernard Peterson, 517½ Main St.
John W. Plummer, 517½ Main St.
George A. Robb, Railroad Loan Bldg.
Alfred G. Schroeder, Box 141
Herbert H. Sizemore, Hanlin Bldg.
J. G. Somers, Railroad Loan Bldg.
Kenneth G. Speir, Hanlin Bldg.
Vernon A. Stroberg, Hanlin Bldg.
Sam H. Sturm, Court House
Arthur N. Turner, Randall Bldg.
Jessie Nye Warren, 609½ Main
Forrest A. Wilson, Railroad Loan Bldg.

NORTON (NORTON—8th Dist.)
Earle E. Brehmer, 605 N. Grant St.
Frank S. Carman, Cozy Theatre Bldg.
Robert W. Hemphill, Court House
William B. Ryan
Keith G. Sebelius, Carter Bldg.

OAKLEY (LOGAN—8th Dist.)
J H. Jenson, Farmers State Bank Bldg.
C. A. Spencer, Court House
Corwin C. Spencer

OBERLIN (DECATUR—8th Dist.)
John M. Bremer, Box 85
Leaford F. Cushenbery, Box 85
Norton Frickey
Wallace T. Wolfe

OLATHE (JOHNSON—1st Dist.)
John Anderson, Jr.
Clayton Brenner, Box 26
John W. Breyfogle, Jr., Blankenbeker Bldg.
Eugene Hackler, Patrons Bldg.
Neal Hambleton, State Bank Bldg.
Harold L. Hammond, 122 E. Park
Harley V. Haskin, Green Bldg.
W. C. Jones
John L. Kirkpatrick, 114 W. Elm St.
Hugh H. Kreamer, 532 W. Elm
Rice Lardner, Box 226
Cyrus Leland, Box 506
Roy Goins Lowe
Roy S. Lowe, 1st Natl. Bank Bldg.
Earl E. O'Connor, Court House
Howard E. Payne, Savings & Loan Bldg.
James B. Pearson, Court House
Harold R. Riggs
Kenneth D. Travis, 824 Troost Ave.
James A. Wheeler, Jr., Zimmerman Bldg.

ONAGA (POTTAWATOMIE—2nd Dist.)
Wayne M. Stallard

OSAWATOMIE (MIAMI—1st Dist.)
Willis McQueary, 561 Main Street

OSBORNE (OSBORNE—8th Dist.)
Lloyd C. Bloomer
Dallas Cordill
O. D. Gregory
Louis D. James
Donald J. Magaw

OSKALOOSA (JEFFERSON—1st Dist.)
Wm. C. Leech
James S. Lester

OSWEGO (LABETTE—3rd Dist.)
John F. Amos
Roy Bennett, Jr., Court House
Willis K. Dillenberger

OTTAWA (FRANKLIN—1st Dist.)
Robert A. Anderson, Zellner Bldg.
B. F. Bowers, 1st Natl. Bank Bldg.
Richard C. Byrd, Zellner Bldg.
Floyd H. Coffman, Court House
Douglas Gleason, Professional Bldg.
Thos. E. Gleason, Professional Bldg.
Basil W. Kelsey, 109 W. 2nd St.
John B. Pierson, 210 South Main
Myron Steere, State Bank Bldg.
Donald L. White, 910 Willow

OVERLAND PARK (JOHNSON—1st Dist.)
Robert P. Anderson
Raymond H. Carr, 7530 Hadley
John J. Gardner, 6927 W. 81st St.
Lyndus Henry
Elmer Hoge, 7505 W. 80th St.

PAOLA (MIAMI—1st Dist.)
L. Perry Bishop
William D. Bright
Edward H. Coughlin
Robert E. Coughlin
Edwin A. Lee
Robert H. Miller, 109 South Pearl
R. I. Nicholson, Nicholson Drug Bldg.
Oliver D. Rinehart, Potts Bldg.
Karl V. Shawver, Jr., Jewell Bldg.
Wendell Winkler, Theater Bldg.

PARSONS (LABETTE—3rd Dist.)
Elmer W. Columbia, 1807 Broadway
A. L. Foster, Rust Bldg.
L. E. Goodrich, 114 N. 27th St.
Oren Gray, 220 N. 31st St.
Hal Hyler, Court House
Glenn Jones, 115½ S. 18th
Lloyd W. Jones, 211 M K T Depot Bldg.
Webster W. Kimball, 1802 Main St.
John B. Markham, 1807 Broadway
F. O. Martin, 115½ So. 18th St.
J. Logan Shuss, Peoples Bldg. & Loan Bldg.
Herman W. Smith, Jr., 1807 Broadway

PHILLIPSBURG (PHILLIPS—8th Dist.)
W. A. Barron
Frank Hahn, 353 F St.
Stephen S. Sage
William Stowell
W. C. Sullivan

PITTSBURG (CRAWFORD—3rd Dist.)
H. Gordon Angwin, Commerce Bldg.
Sylvan Bruner, Professional Bldg.
Alfred L. Burgert, Box 268
Davis S. Carson, 508 Hobson Drive
Pete Farabi, Professional Bldg.
Karl K. Grotheer, 425½ North Broadway
William J. Grotheer, 425½ North Broadway
A. B. Keller, National Bank Bldg.
R. L. Letton, 1st Natl. Bank Bldg.
Morris Matuska, Professional Bldg.
Charles H. Menghini, National Bank Bldg.
P. E. Nulton, First National Bank Bldg.
Perry Owsley, First Natl. Bank Bldg.
Randall D. Palmer, National Bank Bldg.
L. M. Resler, Court House
Charles J. Rondelli, R. R. #2
Donald C. Smith, 421 Professional Bldg.
Simeon Webb, Globe Bldg.
B. W. Weir, Commerce Bldg.
Paul L. Wilbert, National Bank Bldg.

PLEASANTON (LINN—3rd Dist.)
Harry C. Blaker
PRAIRIE VILLAGE (JOHNSON—1st Dist.)
Thomas J. Alexander, 4726 W. 78th Terrace
Robert F. Bennett, 3917 Prairie Lane
J. Joseph Conry, 4510 W. 72nd Terrace
Ralph E. Hoke, 5108 W. 73rd St.
James R. Hoover, 3946 W. 69th Terrace
Clark Kuppinger, 4128 W. 69th Terrace
Donald F. Price, 7325 Falmouth
Eugene G. Wetzel, 7118 Village Drive
PRATT (PRATT—7th Dist.)
George Barrett, Peoples Bank Bldg.
Richard Barrett, Box 444
B. V. Hampton, Peoples Bank Bldg.
John David Megaffin, 203 S. Main
Eldon L. Meigs, 219-21 S. Main
Bill Murray
William L. Parker, Jr., 315 N. Jackson
QUINTER (GOVE—8th Dist.)
Max A. Campbell
RANSOM (NESS—9th Dist.)
Harry B. Phelps, Jr.
RICHFIELD (MORTON—9th Dist.)
Ben D. Ratzlaff
RUSSELL (RUSSELL—8th Dist.)
J. Eugene Balloun, 1758 N. Main St.
Glenn V. Banker, Banker Bldg.
Robert J. Dole, 731½ Main
Richard M. Driscoll, 1-4 Driscoll Rd.
Robert L. Earnest, Box 46
George W. Holland
Herbert N. Holland, 618½ Main St.
Harold W. McCombs, Building & Loan Bldg.
Oscar Ostrum, Building & Loan Bldg.
J. C. Ruppenthal
Alan Kent Shearer, 414 E. 2nd
Eric Smith, 731½ Main
Marvin E. Thompson, 525 Main
RUSSELL SPRINGS (LOGAN—8th Dist.)
Earl Artley
ST. FRANCIS (CHEYENNE—8th Dist.)
E. E. Kite
D. H. Postlethwaite
Fred Rueb
ST. JOHN (STAFFORD—7th Dist.)
Jack Copeland
Morris Garvin
Robert Garvin
ST. MARYS (POTTAWATOMIE—2nd Dist.)
D. M. Sparks
SALINA (SALINE—5th Dist.)
Rudolph Barta, Farmers Natl. Bank Bldg.
Lawrence O. Bengtson, Box 804
Robert B. Berkley, 417 United Bldg.
A. R. Buzick, Court House
Carl S. Byers, 112½ E. Iron Ave.
Harold H. Chase, United Bldg.
C. L. Clark, Planters State Bank Bldg.
H. F. Crowther, 102½ No. Santa Fe
W. B. Crowther, Farmers Union Bldg.
Arthur B. Dillingham, 244 South Santa Fe
H. H. Dunham, 409 E. Kirwin
H. N. Eller, 109 E. Iron Ave.
Raymond E. Haggart, 109½ N. Santa Fe
E. S. Hampton, United Bldg.
Drew Hartnett, 113½ No. Santa Fe
Bryan J. Hoffman, 109 E. Iron
Morris Johnson, Farmers Union Bldg.
Ralph Knittle, 159½ N. Santa Fe
Tom Lillard, Jr., Planters State Bank Bldg.
Robert L. Marietta, 244 S. Santa Fe
Alexander H. Miller, 112 E. Iron
William C. Millikin, Millikin Bldg.
James P. Mize, Planters State Bank Bldg.
C. Stanley Nelson, United Bldg.
Frank Norton, 1040 E. Iron
John Q. Royce, United Bldg.
Jack N. Stewart, 825 S. 9th St.
D. E. Watson, 203 Farmers Nat'l Bank Bldg.
John Weckel, 725 Highland
Robert L. White, 805 Custer
J. Herb Wilson, Court House
SCOTT CITY (SCOTT—9th Dist.)
Charles H. Fleming, Box 433
D. B. Lang
James W. Wallace
SEDAN (CHAUTAUQUA—4th Dist.)
Carl Ackarman
Gerald Cauldwell
R. O. Robbins, Box 118
John M. Wall
SENECA (NEMAHA—2nd Dist.)
John D. Cunningham, Box 7
William M. Drumm
Harry A. Lanning
John P. Quinlan
SHARON SPRINGS (WALLACE—8th Dist.)
Jesse I. Linder
James E. Taylor
SHAWNEE (JOHNSON—1st Dist.)
Eugene F. Gastl, 5921 Ballentine
Jerre F. Hersh, Jr., 12202 W. 56th St.
Robert E. Trego, 13900 W. 67th
SMITH CENTER (SMITH—8th Dist.)
Arno Windscheffel, 210 South Main
STAFFORD (STAFFORD—7th Dist.)
Fred Krey, 121 S. Union
STERLING (RICE—7th Dist.)
T. Gra Gaston
J. Paul Stevenson
STOCKTON (ROOKS—8th Dist.)
D. A. Hindman, Box 294
W. K. Skinner
STRONG CITY (CHASE—4th Dist.)
Dudley Doolittle
SUBLETTE (HASKELL—9th Dist.)
C. G. Dennis
Merton Elliott
SYRACUSE (HAMILTON—9th Dist.)
P. C. Frazee
Cecil H. Frey
James S. Terrill
TESCOTT (OTTAWA—5th Dist.)
John C. Anderson
Jerry J. Berkley
TOPEKA (SHAWNEE—2nd Dist.)
Connie Achterberg, State Highway Commission
Mark H. Adams II, 2339 Wayne
Wells M. Adams, 1019 Topeka
Adrian J. Allen, RFD #5
George S. Allen, V. F. W. Bldg.
Harry K. Allen, Columbian Bldg.
Otis S. Allen, V. F. W. Bldg.

D. Clifford Allison, 3395 Branden
Donald C. Amrein, 2300 Boswell Ct.
L. M. Ascough, Insurance Bldg.
Lyle P. Baker, Apt. 15, Washburn University
Roy Bartlett, 3636 Churchhill
Milton P. Beach, Federal Bldg.
Marion Beatty, Columbian Bldg.
Melvin De Wayne Benitz, 1210 Byron
Mark L. Bennett, New England Bldg.
Paul D. Berkley, 900 Saline
Charles A. Betsher, Columbian Bldg.
Thomas C. Boone, #31 Washburn U.
David E. Bourassa, 1725 Oakley
Ward C. Bray, Apt. 81, Washburn University
Harry E. Brennan, 1288 College
Raymond Briman, New England Bldg.
Roy L. Bulkley, New England Bldg.
Rodney H. Busey, 1505 Jewell
Don Buster, 2408 W. 22nd
Philip E. Buzick, Natl. Bank of Topeka Bldg.
Elwin F. Cabbage, Apt. 54, Washburn University
Montie S. Carlisle, Natl. Bank of Topeka Bldg.
Randolph Carpenter, 3621 Holly Lane
Marlin S. Casey, Columbian Bldg.
Paul F. Casey, 1521 Lincoln
Walter T. Chaney, New England Bldg.
Robert L. Chestnut, 74 Washburn University
Richard B. Clausing, Natl. Bank of Topeka Bldg.
Wm. D. Clement, 2817½ Illinois
Weldon W. Clopton, 933 Saline
Glenn D. Cogswell, Natl. Bank of Topeka Bldg.
Harry W. Colmery, Natl. Bank of Topeka Bldg.
Robert M. Corbett, 808 W. 12th St.
John Corkhill, 1236 Woodward
L. M. Cornish, Capitol Federal Bldg.
Franklin Corrick, 3rd Floor, State House
Charles Cory, 3020 Sowers Court
M. F. Cosgrove, Natl. Bank of Topeka Bldg.
A. Harry Crane, New England Bldg.
Sam A. Crow, New England Bldg.
Arthur F. Davis, Stormont Bldg.
Charles L. Davis, Jr., National Reserve Bldg.
Clayton M. Davis, New England Bldg.
Eugene W. Davis, Natl. Bank of Topeka Bldg.
Hal C. Davis, Natl. Bank of Topeka Bldg.
Roger L. Davis, 901 Lincoln
John S. Dawson, 1192 Fillmore
Donald L. Deam, 2009 Lincoln
J. S. Dean, Jr., Columbian Bldg.
Jacob A. Dickinson, New England Bldg.
William W. Dimmitt, Jr., New England Bldg.
Herbert K. Dodd, Apt. 23, Washburn U.
J. E. DuMars, New England Bldg.
Richard L. Ebersole, Apt. 77, Washburn University
Harry L. Eddy, Central Bldg.
O. B. Eidson, New England Bldg.
Louis F. Eisenbarth, 633 Kansas Ave.
Arden K. Ensley, 704 W. 8th
L. H. Euler, New England Bldg.
Jean C. Evans, 220 Berwick
Thomas M. Evans, 2020 Hope
Charles L. Ewing, Santa Fe Genl. Off. Bldg.
Wm. C. Farmer, Federal Bldg.
Harold R. Fatzer, 1520 Medford
Richard E. Fay, 407 Tyler
John B. Fillinger, 45 University Place
David H. Fisher, Natl. Bank of Topeka Bldg.
J. Richard Foth, New England Bldg.
Maurice D. Freidberg, Natl. Bank of Topeka
Richard Funk, Columbian Bldg.
James L. Galle, State House
Wendell Garlinghouse, Capitol Federal Bldg.
Philip C. Gault, New England Bldg.
Allen Gerye, 351 Woodbury
Clarence J. Gideon, Apt. 84 Washburn University
Ralph F. Glenn, Capitol Federal Bldg.
Lester M. Goodell, Columbian Bldg.
Byron M. Gray, Natl. Bank of Topeka Bldg.
William A. Gray, 823 Quincy
Donald D. Gregory, 2113 Wayne
Barton E. Griffith, Natl. Bank of Topeka Bldg.
Frederick E. Gulick, State House
Fred Hall, 801 Buchanan
Lloyd Hall, 4000 Stratford Road
Antrim M. Hambleton, 213 The Drive
W. Glenn Hamilton, Natl. Bank of Topeka Bldg.
W. E. Haney, Natl. Reserve Bldg.
Vernon T. Hanlon, 211 Topeka Blvd.
Murray F. Hardesty, New England Bldg.
W. W. Harvey, State House
E. H. Hatcher, National Bank of Topeka Bldg.
Doral H. Hawks, New England Bldg.
Barney J. Heeney, Jr., Natl. Bank of Topeka Bldg.
Paul H. Heinz, Court House
William Hergenreter, Capitol Federal Bldg.
Eugene W. Hiatt, 1538 W. 23rd St. Park
Charles H. Hobart, State House
Bill G. Honeyman, 125 Greenwood
Nellie Ruth Huffman, Columbian Bldg.
Sidney C. Hunt, V. F. W. Bldg.
Paul Hurd, 1251 Topeka Blvd.
W. A. Huxman, Federal Bldg.
Craig Irwin, 1941 Gage
Robert R. Irwin, Natl. Bank of Topeka Bldg.
Schuyler W. Jackson, Law School, Washburn U.
Balfour Jeffrey, 3141 W. 15th St.
Beryl R. Johnson, Court House
Donald R. Johnson, 1308 Boswell
Robert Stone Johnson, Columbian Bldg.
Howard A. Jones, National Reserve Bldg.
Robert R. Jones, Columbian Bldg.
Gailen L. Keeling, 1612 College
John E. Kirk, National Bank of Topeka
Clayton E. Kline, Natl. Bank of Topeka Bldg.
Ralph L. Larson, 532 Kansas Ave.
John Kenneth Leighnor, Apt. 78, Washburn U.
Wilbur G. Leonard, 841 Oakley
John W. Lewis, Columbian Bldg.
Philip H. Lewis, New England Bldg.
T. M. Lillard, New England Bldg.
Myron L. Listrom, 817 Kansas
Harry B. Logan, 839 N. Kansas Ave.
Helen L. Loomis, 1421 Pembroke Lane
Leon W. Lundblade, State House
Graydon Luthey, 1193 Washburn
Charles C. McCarter, Statehouse
Jerry J. McCarthy, 1628 Grove
Robert A. McClure, Natl. Bank of Topeka Bldg.
Dean McElhenny, Court House
Wm. B. McElhenny, Natl. Bank of Topeka Bldg.
Margaret McGurnaghan (Miss), Columbian Bldg.
Ray R. McKinley, 1826 Pembroke Lane
C. A. Magaw, Natl. Bank of Topeka Bldg.
Ernest L. Malone, Apt. 40, Washburn U.

Fred A. Mann, Columbian Bldg.
Herbert Marshall, New England Bldg.
Albert B. Martin, 314 Woodlawn
Ward D. Martin, New England Bldg.
Don Matlack, Apt. 73, Washburn
Hugo D. Mauch, 1730 Washburn
Allen Meyers, New England Bldg.
Karl Miller, State House
Will J. Miller, Jr., 700 Harrison
William M. Mills, Jr., Columbian Bldg.
Lawrence Munns, 1544 Stratford Rd.
Turner Murrell, Columbian Bldg.
Wade A. Myers, 860 W. 37th St.
Z. Arthur Nevins, Jr., 2416 W. 25th
Bob H. Newton, 1614 College Ave.
Joe Nickell, 904 Nickell Rd.
Norman Norburg, 532 Kansas Ave.
Ralph W. Oman, Natl. Bank of Topeka Bldg.
Alfred B. Page, 216 W. 6th St.
Jay S. Parker, State House
Sherman A. Parks, 320 Taylor
Donald Patterson, Natl. Bank of Topeka Bldg.
George E. Peabody, 1600 Grove St.
Joe W. Peel, 2108 Potomac Dr.
Wilbert W. Phalen, 1321 W. 14th
Leonard W. Pipkin, Jr., Columbian Bldg.
Melvin C. Poland, 3729 W. 12th St.
Charles F. Pomeroy, 935 Western Ave.
James W. Porter, New England Bldg.
David Prager, New England Bldg.
Robert T. Price, State House
Bobby Lee Pringle, 1307½ Mulvane
C. J. Putt, AT&SF Railway Co.
Melvin Quinlan, Columbian Bldg.
James L. Quinn, New England Bldg.
Fred W. Rausch, Jr., 2501 Mission
Richard L. Reep, 1612 College
William L. Rees, Columbian Bldg.
Jean B. Reeves, A.T.& S.F. Office Bldg.
Ernest J. Rice, V. F. W. Bldg.
Clair E. Robb, State House
Jeff A. Robertson, New England Bldg.
Ed Rooney, New England Bldg.
Stanley R. Roose, New England Bldg.
Albert Ross, Crawford Bldg.
Richard G. Rossman, 2407 W. 21st
F. J. Rost, Natl. Bank of Topeka Bldg.
Robert J. Roth, 2616 Valleybrook
H. A. Russell, 532 Kansas Ave.
Marie Russell, State House
Robert E. Russell, Natl. Bank of Topeka Bldg.
Dick Sangster, 1728 W. 17th
Harold R. Schroeder, Natl. Bank of Topeka Bldg.
Henry Schulteis, Jr., A.T.&S.F. Off. Bldg.
Thomas R. Sewell, 401 Columbian Bldg.
Warren W. Shaw, Capitol Federal Bldg.
Richard D. Shiney, 1298 College
John W. Shuart, Garlinghouse Bldg.
Royce D. Sickler, 934 Buchanan
Don B. Slechta, Apt. 9, Washburn University
Eldon Sloan, Natl. Bank of Topeka Bldg.
E. R. Sloan, Federal Bldg.
F. A. Sloan, Natl. Bank of Topeka Bldg.
James W. Sloan, Natl. Bank of Topeka Bldg.
Hall Smith, Columbian Bldg.
James E. Smith, Natl. Bank of Topeka Bldg.
Lynn D. Smith, Jr., 1255 Topeka Blvd.
Irwin Snattinger, Natl. Bank of Topeka Bldg.
Harry Snyder, Jr., New England Bldg.
Ed. H. Sondker, V. F. W. Bldg.
Jerry M. Sorrick, Apt. 29, Washburn
Harold L. Steinrauf, 659 MacVicar
Dewitt M. Stiles, Apt. 706, Town House Apts.
William B. Stokes, 505 Pine Crest
Robert Stone, 3717 W. 17th St.
Floyd D. Strong, Insurance Bldg.
Walter G. Stumbo, Natl. Bank of Topeka Bldg.
Jack Summers, 1523 Lincoln
Walter G. Thiele, State House
W. K. Thompson, Columbian Bldg.
John M. Tomanek, 1327 College
John William Townsend, Central Bldg.
W. E. Treadway, A.T.& S.F. Railway Co.
Robert R. Turney, 532 Kansas Ave.
Willard Van Slyck, Jr., Natl. Bk of Topeka Bldg.
Tinkham Veale, Veale Bldg.
James D. Waugh, Natl. Bank of Topeka Bldg.
Robert L. Webb, Natl. Bank of Topeka Bldg.
Edward J. Webber, New England Bldg.
Robert R. Webber, Apt. 28, Washburn U.
John Weeks, State House
H. Kip Wells, 2433 Mission
Dan M. Welty, Apt. 49, Washburn U.
William J. Wertz, 600 W. 11th
Edwin M. Wheeler, 2110 Moundview
Edward F. Wiegers, 1612 College
W. Kenneth Wilke, Natl. Bank of Topeka Bldg.
Al F. Williams, New England Bldg.
Paul Wilson, State House
James G. Winn, 2132 Potomac Drive

TRIBUNE (GREELEY—9th Dist.)
Brainard L. Anderson, Beckstrom Bldg.
Martin F. Trued, Beckstrom Bldg.

TROY (DONIPHAN—1st Dist.)
A. O. Delaney, Jr.
Robert A. Reeder
George Van Bebber

TURON (RENO—7th Dist.)
Bill D. Watson

ULYSSES (GRANT—9th Dist.)
Frank R. Collins
H. W. Stubbs
W. P. Wesley

VALLEY CENTER (SEDGWICK—6th Dist.)
Byron T. Rowell, 119 N. Meridian St.

VALLEY FALLS (JEFFERSON—1st Dist.)
Gordon K. Lowry

WAKEENEY (TREGO—8th Dist.)
Ralph H. Clark, Clark Bldg.
Ernest J. Deines, Post Office Bldg.
Ramona L. Funk, Medical Center
W. R. Hainline, Medical Center
William Wagner, Jr., Hillman Bldg.

WAKEFIELD (CLAY—5th Dist.)
Dan H. Myers, Farmers & Merchants Bank Bldg.

WAMEGO (POTTAWATOMIE—2nd Dist.)
Robert Kaul
Richard M. Pugh, Box 51
James E. Sullivan, 628 Lincoln

WASHINGTON (WASHINGTON—5th Dist.)
A. C. Bokelman
Herbert Hyland
Farel R. Lobaugh
Floyd D. Sorrick, First Natl. Bank Bldg.

WATERVILLE (MARSHALL—5th Dist.)
Rowland Edwards

WELLINGTON (SUMNER—6th Dist.)
Harlan C. Altman, Jr.
Richard B. Altman, 210 W. "F" St.
Bert E. Church, Security State Bank Bldg.
Robert H. Cobean, Security State Bank Bldg.
Richard B. Collins, 612 E. 4th St.
William M. Ferguson
Ford Harbaugh
Lewis E. Nugen, Court House
John Potucek, First Natl. Bank Bldg.
Wendell Ready, Box 45
F. M. Rogers, 111 E. Harvey Ave.
Tom L. Schwinn, 107 E. Lincoln
W. H. Schwinn, 107 E. Lincoln

WESTMORELAND (POTTAWATOMIE—2nd Dist.)
John W. Brookens

WICHITA (SEDGWICK—6th Dist.)
Mark H. Adams, W. K. H. Bldg.
J. E. Alexander, Derby Bldg.
Fred W. Aley, 303 S. Main St.
E. Lael Alkire, Fourth Natl. Bank Bldg.
Roy E. Angle, Orpheum Bldg.
Edward F. Arn, 26 Linwood
Les Arvin, Schweiter Bldg.
George M. Ashford, Court House
W. C. Attwater, Rule Bldg.
Daniel C. Bachmann, 4th Natl. Bank Bldg.
Robert F. Bailey, M & B Professional Bldg.
George W. Ball, Beacon Bldg.
J. O. Ballinger, 3342 S. Osage
R. R. Barnes, 944 N. Pershing
Samuel E. Bartlett, 4th Natl. Bank Bldg.
Fred A. Beaty, Beacon Bldg.
Harold T. Beck, Wichita Federal Savings & Loan Bldg.
Oscar F. Belin, 1st Natl. Bank Bldg.
Ellis Bever, 1st Natl. Bank Bldg.
Emmet A. Blaes, Farmers & Bankers Life Bldg.
Harold L. Blake, Schweiter Bldg.
Al Blase, Jr., Central Bldg.
Robert E. Blase, Central Bldg.
Vincent L. Bogart, 625 Apache
Harlin E. Bond, 411 E. William
John E. Boyer, Wichita Fed. Savings & Loan
Robert G. Braden, Farmers & Bankers Life Bldg.
Byron Brainerd, 1st Natl. Bank Bldg.
Sidney J. Brick, Beacon Bldg.
Ralph R. Brock, Brown Bldg.
Benjamin H. Brown, 627 N. Main
George Austin Brown, Court House
Joseph H. Brown, 121½ S. Main
Norman L. Brown, 121½ S. Main
Charles C. Browning, Jr., 721 Litchfield
Dale Bruce, Schweiter Bldg.
B. Mack Bryant, County Court House
Dale M. Bryant, Brown Bldg.
Carl L. Buck, Beacon Bldg.
F. L. Buellesfeld, 5118 E. Pine
Bernice Burket, 155 N. Pershing
L. John Callahan, 331 N. Erie
Stuart R. Carter, 4th Natl. Bank Bldg.
Louis W. Cates, 861 San Pablo
Robert M. Coffman, 1st Natl. Bank Bldg.
Robert A. Coldsnow, 4th Natl. Bank Bldg.
George B. Collins, Petroleum Bldg.
Eugene G. Coombs, Beacon Bldg.
Dale H. Cooper, 2655 N Green
Lloyd F. Cooper, W. K. H. Bldg.
Charles E. Cotton, Bitting Bldg.
Wayne Coulson, 1st Natl. Bank Bldg.
Morris H. Cundiff, Brown Bldg.
Lawrence E. Curfman, 1st Natl. Bank Bldg.
John Jay Darrah, Legal Bldg.
Carl H. Davis, Schweiter Bldg.
Robert L. Davis, Schweiter Bldg.
C. Robert Deeds, 1811 S. Palisade
John Dekker, Brown Bldg.
Claude I. Depew
Paul J. Donaldson, Wichita Fed. Savings Bldg.
Samuel C. Durbin, Farmers & Bankers Life Bldg.
Daniel D. Dwyer, Insurance Bldg.
James D. Dye, 1st Natl. Bank Bldg.
John F. Eberhardt, 4th Natl. Bank Bldg.
W. Jay Esco, W. K. H. Bldg.
Ferd E. Evans, Jr., Brown Bldg.
J. D. Fair, Central Bldg.
Howard T. Fleeson, 1st Natl. Bank Bldg.
D. Emmett Foley, Derby Bldg.
Ralph B. Foster, 1740 N. Volutsia
Robert C. Foulston, 4th Natl. Bank Bldg.
John C. Frank, Brown Bldg.
Kent Frizzell, 220 N. Sedgwick
Justus H. Fugate, 3238 E. Central Ave.
Norman Fuller, 2512 Raleigh Dr.
Lyndon Gamelson, Beacon Bldg.
P. D. Gardiner, 410 N. Edgemore
Theodore R. Gardner, 627 N. Main
Lee Garrett, Central Bldg.
Theodore C. Geisert, 1st Natl. Bank Bldg.
Yale W. Gifford, Beacon Bldg.
Ralph E. Gilchrist, Brown Bldg.
Harry W. Gillig, Jr., Kaufman Bldg.
Guy L. Goodwin, Insurance Bldg.
H. W. Goodwin, Insurance Bldg.
Homer V. Gooing, 1st Natl. Bank Bldg.
Ralph Gore, Brown Bldg.
Henry V. Gott, 1st Natl. Bank Bldg.
Jack H. Greene, Beacon Bldg.
George E. Grist, 1011 Bitting Bldg.
W. B. Harms, W. K. H. Bldg.
Charles W. Harris, 1st Natl. Bank Bldg.
Richard Copley Harris, 4th Natl. Bank Bldg.
George E. Hasty, 2144½ N. Broadway
William M. Haun, Central Bldg.
Arthur W. Hershberger, Union Natl. Bank Bldg.
J. Francis Hesse, Farmers & Bankers Life Bldg.
Kenneth H. Hiebsch, Schweiter Bldg.
Delmas C. Hill, Federal Bldg.
Robert J. Hill, 1st Natl. Bank Bldg.
Fred Hinkle, Schweiter Bldg.
Lester A. Holloway, Central Bldg.
Manford Holly, Central Bldg.
Laurence S. Holmes, Orpheum Bldg.
Richard W. Holmes, Beacon Bldg.
W. E. Holmes, Beacon Bldg.
George J. Hondros, Wichita Fed. Savings Bldg.
Ralph M. Hope, 1st Natl. Bank Bldg.
Herb Hopper, 525 So. Millwood
H. C. Howe, 826 N. Lorraine
Charles B. Hudson, Bitting Bldg.
Oliver H. Hughes, Petroleum Bldg.
Roetzel Jochems, Farmers & Bankers Life Bldg.
W. D. Jochems, Farmers & Bankers Life Bldg.
Arthur Johnson, 4th National Bank
Charles E. Jones, W. K. H. Bldg.
H. E. Jones, Union Natl. Bank Bldg.
Jerome E. Jones, Union Natl. Bank Bldg.

Richard O. Jones, Union Natl. Bank Bldg.
Wilbur H. Jones, Schweiter Bldg.
G. Mitchell Jordan, 850 N. Terrace Dr.
Lloyd M. Kagey, Insurance Bldg.
W. A. Kahrs, 4th Natl. Bank Bldg.
Albert L. Kamas, Schweiter Bldg.
Wm. C. Kandt, Court House
Orval J. Kaufman, 6227 Jacqueline St.
Patrick F. Kelly, 736 Hunter
Dale Kidwell, Beacon Bldg.
Paul R. Kitch, 1st Natl. Bank Bldg.
Camilla Klein, Derby Bldg.
Nicholas Klein, 4840 Eastwood Dr.
Howard C. Kline, Court House
Otto J. Koerner, Bitting Bldg.
Milton A. Koopman, 418 Commerce St.
Kenneth A. Kueny, Beacon Bldg.
Hubert R. Kuhn, 1001 S. Minnesota
Verne M. Laing, Brown Bldg.
Henry Lampl, c/o Hillcrest Apts.
John E. Lancelot, Insurance Bldg.
Leonard A. Levand, Union Natl. Bank Bldg.
Chester I. Lewis, Jr., 1822 Rumsey
W. F. Lilleston, 1st Natl. Bank Bldg.
Charles S. Lindberg, 1st Natl. Bank Bldg.
Robert S. Lomax, Bitting Bldg.
John McBride, 312 N. Fountain
J. Ruse McCarthy, 1st Natl. Bank Bldg.
O. D. McClellan, Rule Bldg.
T. V. McCluggage, Schweiter Bldg.
Getto McDonald, 4th Natl. Bank Bldg.
Ronald R. McEnulty, 639 S. Brookside Dr.
Norman G. Maben, Schweiter Bldg.
John Madden, Beacon Bldg.
Harold Malone, Bitting Bldg.
Avis Martin, 603 N. Main
Robert Martin, Petroleum Bldg.
Henry E. Martz, Union Natl. Bank Bldg.
Lee R. Meador, Bitting Bldg.
Robert G. Merrick, 303 N. Edgemoor Drive
A. Martin Millard, Insurance Bldg.
Hubert E. Miller, 212 N. Market
Malcolm Miller, 4th Natl. Bank Bldg.
Stanley C. Miner, Central Bldg.
Donald I. Mitchell, Beacon Bldg.
Eugene E. Mitchell, W. K. H. Bldg.
E. Louis Moore, 638 N. Water
Warner Moore, Court House
C. H. Morris, M & B Professional Bldg.
Lester L. Morris, Brown Bldg.
Robert R. Morton, Legal Bldg.
Richard F. Mullins, Beacon Bldg.
C. Edward Murray, Orpheum Bldg.
Thomas D. Mustard, 1st Natl. Bank Bldg.
James B. Nash, Bitting Bldg.
Robert H. Nelson, 4th Natl. Bank Bldg.
Robert L. NeSmith, 3238 E. Central
Donald R. Newkirk, 1st Natl. Bank Bldg.
Kenneth M. Nohe, Beacon Bldg.
Clark V. Owens, 4th Natl. Bank Bldg.
Robert A. Page, 4th Natl. Bank Bldg.
Robert N. Partridge, 4th Natl. Bank Bldg.
J. B. Patterson, Union Natl. Bank Bldg.
William F. Pielsticker, Union Natl. Bank Bldg.
Robert A. Pine, Beacon Bldg.
Robert L. Piper, 200 E. 1st St.
Eugene L. Pittle, 602 Schweiter Bldg.
Wm. G. Plested, Jr., 145 S. Battin
William Porter, 4th Natl. Bank Bldg.
George B. Powers, 4th Natl. Bank Bldg.
K. W. Pringle, Jr., Petroleum Bldg.
C. H. Pugh, Union Natl. Bank Bldg.
Payne H. Ratner, 444 N. Market
Payne H. Ratner, Jr., Box 306
Thos. C. Raum, Court House
Richard A. Render, Schweiter Bldg.
Harry E. Robbins, Jr., Beacon Bldg.
William I. Robinson, W. K. H. Bldg.
Roy L. Rogers, Brown Bldg.
Hal Ross, W. K. H. Bldg.
J. Wirth Sargent, Farmers & Bankers Life Bldg.
James W. Sargent, Jr., Farmers & Bankers Life Bldg.
Wm. F. Schell, Petroleum Bldg.
Paul W. Schmidt, Schweiter Bldg.
Andrew Schoeppel, 4th Natl. Bank Bldg.
Ted Schweiter, 1776 Harvard
Thomas F. Seed, 431 South Main
H. Jay Setter, Box 364
Glenn J. Shanahan, Brown Bldg.
Douglas E. Shay, Beacon Bldg.
M. P. Shearer, Brown Bldg.
Orville A. Sheffer, Central Bldg.
Garner E. Shriver, Brown Bldg.
Robert M. Siefkin, 4th Natl. Bank Bldg.
Carl T. Smith, 4th Natl. Bank Bldg.
P. K. Smith, Brown Bldg.
Paul V. Smith, Beacon Bldg.
Robert Moore Smith, Jr., 1 Hillcrest Ave.
Otto R. Souders, Schweiter Bldg.
Clarence Sowers, Union Natl. Bank Bldg.
Claude Sowers, Union Natl. Bank Bldg.
John Sowers, Union Natl. Bank Bldg.
George Spradling, 1st Natl. Bank Bldg.
George W. Staplin, Beacon Bldg.
Richard W. Stavely, 1st Natl. Bank Bldg.
I. H. Stearns, Schweiter Bldg.
Kenneth P. Stewart, Wichita Fed. Savings Bldg.
John N. Stice, Bitting Bldg.
Dale B. Stinson, Jr., 3635 E. 13th St.
George L. Stockwell, 2602 Porter
Dale Stucky, 1st Natl. Bank
Rupert Teall, Schweiter Bldg.
Robert A. Thiessen, Schweiter Bldg.
Wm. P. Thompson, Union Natl. Bank Bldg.
Lewin E. Timmerman, Beacon Bldg.
Wm. P. Timmerman, Beacon Bldg.
Ray H. Tinder, Orpheum Bldg.
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Freidberg, Maurice D., Topeka
Frevert, Lloyd J., Kansas City
Frey, Cecil H., Syracuse
Frickey, Norton, Oberlin
Frigon, Bernie D., Cimarron
Frizzell, Kent, Wichita
Fromme, Alexander Morgan, Hoxie
Fromme, Joseph W., Hoxie
Fugate, Justus H., Wichita
Fuller, Norman, Wichita
Funk, Ramona L. (Miss), Wakeeney
Funk, Richard, Topeka
Gage, Walter Reed, Manhattan
Galle, James L., Topeka
Gallea, Roy D., Denver, Colo.
Galloway, Robert F., Marysville
Gamelson, Lyndon, Wichita
Gard, Spencer A., Iola
Gardiner, P. D., Wichita
Gardner, John J., Overland Park
Gardner, Theo. R., Wichita
Garlinghouse, Wendell, Topeka
Garrett, Lee, Wichita
Garver, C. William, Kansas City, Missouri
Garvin, Morris, St. John
Garvin, Robert, St. John
Gastl, Eugene F., Shawnee
Gaston, T. Gra, Sterling
Gates, Louis R., Kansas City
Gates, Raymond, Elkhart
Gault, Philip C., Topeka
Geiger, A. W., Newton
Geisert, Theodore C., Wichita
George, Newell A., Kansas City
Gerye, Allen, Topeka
Gibson, Dean, Concordia
Gibson, Harold, Lyons
*Giffin, Donald W., Kansas City
Gideon, Clarence J., Topeka
Gifford, Yale W., Wichita
Gilchrist, Ralph E., Wichita
Gillig, Harry M., Jr., Wichita
Gilliland, R. J., Hutchinson
Glasscock, E. E., Hutchinson
Glassman, Robert F., Hays
Gleason, Douglas, Ottawa
Gleason, Thomas E., Ottawa
Glenn, Ralph F., Topeka
Goering, Elmer P., Hutchinson
Goodell, Lester M., Topeka
Goodrich, L. E., Parsons
Goodwin, Guy L., Wichita
Goodwin, H. W., Wichita
Gooing, Homer V., Wichita
Gore, Ralph, Wichita
Gott, Henry V., Wichita
Gough, William, Jr., Independence
Gould, Geo. R., Dodge City
Gould, George, Jr., Dodge City

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Grant, Warren B., Independence
Grauerholz, Alvin F., Coffeyville
Graves, Roscoe W., Emporia
Gray, Byron M., Topeka
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Gray, Oren, Parsons
Gray, William A., Topeka
Greene, Jack H., Wichita
Gregory, Donald D., Topeka
Gregory, O. D., Osborne
Grey, Jimmie, Liberal
Griffith, Barton E., Topeka
Griffith, Jerry L., Hoisington
*Griffith, Lt. John, San Francisco, Calif.
Grist, George E., Wichita
Grotheer, Karl K., Pittsburg
Grotheer, William J., Pittsburg
Guilfoyle, W. A., Abilene
Gulick, Frederick E., Topeka
Gunnels, H. Jay, Jr., Kansas City
*Gurley, James B., Barnard
Hackler, Eugene, Olathe
Hagaman, Frank L., Kansas City, Mo.
Hagen, Arthur P., Great Bend
Haggart, Raymond E., Salina
Hahn, Frank, Phillipsburg
Hainline, W. R., Wakeeney
Hall, Charles, Hutchinson
Hall, Clement H., Coffeyville
Hall, Frederick L., Topeka
Hall, Jesse A., Leavenworth
Hall, Lloyd, Topeka
Hall, Martin S., Anthony
Hall, Max D., Anthony
Hall, Ralph C., Medicine Lodge
†Hambleton, Antrim M., Topeka
Hambleton, Neal, Olathe
Hamilton, J. D. M., Philadelphia, Pa.
Hamilton, R. L., Beloit
Hamilton, W. Glenn, Topeka
Hammond, Harold L., Olathe
Hampson, Thomas D., Jr., Fredonia
Hampton, B. V., Pratt
Hampton, E. S., Salina
Hampton, T. W., Great Bend
Haney, Delmas, Hays
Haney, W. E., Topeka
†Hanlon, T. J., Independence
Hanlon, Vernon T., Topeka
Hannah, Jerry, Lawrence
Hannen, L. R., Burlington
Harbaugh, Ford, Wellington
Hardesty, Murray F., Topeka
Harding, A. H., Independence
Harding, Harold H., Kansas City
Hardman, Boyce P., Great Bend
Harlan, Hal E., Manhattan
Harman, Jerome, Columbus
Harms, W. B., Wichita
Harner, Collis Russell, Dodge City
Harper, Howard W., Junction City
Harris, Charles W., Wichita
Harris, Phillip L., Junction City
Harris, Richard Copley, Wichita
Hartloff, Benjamin, Leoti
Hartnett, Drew, Salina
Harvey, W. W., Topeka
Haskin, Harley V., Olathe
Hasty, George E., Wichita
Hatcher, E. H., Topeka
Haun, William M., Wichita
Hausherr, Bernard L., Lawrence
Hawks, Doral H. Topeka
Hayes, John F., Hutchinson
Haynes, J. Willard, Kansas City
Haynes, Lacy, Jr., Emporia
Heeney, Barney J., Jr., Topeka
Heilman, David, Council Grove
Heinz, Paul H., Topeka
Helvern, L. E., Hiawatha
Hembrow, Walter E., Council Grove
Hemphill, Robert W., Norton
Henbest, Joe, Columbus
Henning, Eldridge H., Monmouth, Ill.
Henry, Lyndus, Overland Park
Henshall, Charles E., Chanute
*Henson, Charles N., Amarillo, Texas
Herd, Harold S., Coldwater
Hergenreter, Victor, Alma
Hergenreter, William, Topeka
Herlocker, John A., Winfield
Herrman, Henry F., Hays
Herrod, A. J., Kansas City
Hersh, Jerre F., Jr., Shawnee
Hershberger, Arthur W., Wichita
Hesse, J. Francis, Wichita
Hettinger, F. B., Hutchinson
Hiatt, Eugene W., Topeka
Hibbard, Edward A., Eureka
Hickey, Richard, Liberal
Hickman, Donald, Arkansas City
Hiebsch, Kenneth H., Wichita
Hildreth, Morris D., Coffeyville
Hill, Clyde, Yates Center
Hill, Delmas C., Wichita
Hill, Robert J., Wichita
Hindman, D. A., Stockton
Hinkle, Fred, Wichita
Hiss, W. W., Great Bend
*Hite, Richard C., Hiawatha
Hobart, Charles H., Topeka
Hobble, Herbert, Jr., Liberal
Hobson, James D., Tulsa, Okla.
Hodge, Frank S., Hutchinson
Hodgson, Arthur C., Lyons
Hoffman, Bryan J., Salina
Hoffstot, W. H., Kansas City, Mo.
Hoge, Elmer, Overland Park
†Hogin, James L., Kansas City
Hoke, Ralph E., Prairie Village
Holden, John Staley, Cimarron
Holeman, Clarence, Wichita
Holl, Alfred, Bartlesville, Okla.
Holland, George W., Russell
Holland, Herbert N., Russell
Holloway, Lester A., Wichita
Holly, Manford, Wichita
Holman, Edwin J., LaGrange, Ill.
Holmes, Laurence S., Wichita
Holmes, Richard W., Wichita
Holmes, W. E., Wichita
Holmes, Wendell S., Hutchinson
Hondros, George J., Wichita

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Honeyman, Bill G., Topeka
Hoover, C. L., Junction City
Hoover, James R., Prairie Village
Hope, Clifford R., Jr., Garden City
Hope, Ralph M., Wichita
Hopper, Herb, Wichita
Hornbaker, Lee Vaughn, Junction City
Horning, Hubert, Howard
Horowitz, Herb, Kansas City, Missouri
Hotchkiss, Alex, Lyndon
Hotchkiss, Neil, LaCrosse
Houghton, James L., Ardmore, Okla.
Howard, Kenith R., Kansas City
Howard, William R., Arkansas City
Howe, H. C., Wichita
Howell, James D., Kansas City
Howerton, Clark, Garnett
Hudson, Charles B., Wichita
Hudson, Douglas, Fort Scott
Hudson, Douglas G., Fort Scott
Hudson, Howard, Fort Scott
Huffman, Nellie Ruth, Topeka
Hughes, Charles, Manhattan
Hughes, C. Harold, Manhattan
Hughes, C. W., Dodge City
Hughes, Oliver H., Wichita
Huguenin, A. B., Dallas, Texas
Humphrey, Arthur S., Junction City
Humphrey, James V., Junction City
Hunt, Sidney C., Topeka
Hunter, J. Richards, Hutchinson
Hurd, Paul, Topeka
Hursh, Frank W., Kansas City
Hurst, T. C., Kansas City
Huxman, W. A., Topeka
Hyland, Herbert, Washington
Hyler, Hal, Parsons
Hyter, Clair D., Hutchinson
Immel, H. M., Iola
Ingels, Chester C., Hiawatha
Irwin, Craig, Topeka
Irwin, Robert R., Topeka
Iverson, Norman M., Arkansas City
Jackson, Forrest A., Lawrence
*Jackson, Samuel, Topeka
Jackson, Schuyler W., Topeka
James, Louis D., Osborne
Janicke, Harry O., Winfield
Jarvis, Chandler F., Winfield
Jarvis, M. E., Winfield
Jeffrey, Balfour, Topeka
Jenkins, Joseph P., Kansas City
Jenson, J. H., Oakley
Jernberg, E. W., Lindsborg
Jeter, Norman W., Hays
Jochems, Roetzel, Wichita
Jochems, W. D., Wichita
Johnson, Arthur, Wichita
Johnson, Beryl R., Topeka
Johnson, Charles D., McPherson
Johnson, Donald R., Topeka
Johnson, Morris, Salina
Johnson, Robert Stone, Topeka
Johnson, R. W., Washington, D. C.
Johnston, Ambrose M., Manhattan
Johnston, Ervin Glenn, Kansas City
Johnston, William G., Manhattan
Jones, Casey, Hill City
Jones, Charles E., Wichita
Jones, C. Vincent, Clay Center
Jones, Glenn, Parsons
Jones, Howard A., Topeka
Jones, H. E., Wichita
Jones, Jerome E., Wichita
Jones, Lloyd W., Parsons
Jones, Max L., Goodland
Jones, Richard O., Wichita
Jones, Robert R., Topeka
Jones, R. Y., Hutchinson
Jones, W. C., Olathe
Jones, Walter F., Hutchinson
Jones, Wilbur H., Wichita
Jordan, G. Mitchell, Wichita
Jordan, Harold N., Beloit
Jordan, Roy U., Emporia
Joyce, Thomas E., Kansas City
Kagey, Lloyd M., Wichita
Kahrs, W. A., Wichita
Kamas, Albert L., Wichita
Kandt, William C., Wichita
Karr, Robert O., Girard
Kaufman, Orval J., Wichita
Kaul, Robert, Wamego
Keach, John R., Mission
Keeling, Gailen L., Topeka
Keenan, Robert P., Great Bend
Keller, A. B., Pittsburg
Kelley, T. B., Great Bend
Kelly, J. W., Kansas City, Mo.
Kelly, Patrick F., Wichita
Kelsey, Basil W., Ottawa
Kennedy, Chas. D., Brownsville, Texas
Kennedy, Walter J., Lawrence
Kidwell, Dale, Wichita
Kiesow, Albert O., Kansas City
†Kimball, Webster W., Parsons
Kimberly, Clifford B., Kansas City, Mo.
King, Harlow B., Kansas City, Mo.
King, John C., Liberal
*King, Ralph M., Jr., Lawrence
King, Robert M., El Dorado
Kirby, William Roy, Coffeyville
Kirk, John E., Topeka
†Kirkpatrick, John L., Olathe
Kitch, Paul R., Wichita
Kite, E. E., St. Francis
Klamm, Walter G., Kansas City
Klassen, Dick, Lawrence
Klein, Camilla, Wichita
Klein, Nicholas W., Wichita
Kline, Clayton E., Topeka
Kline, Howard C., Wichita
Knapp, Charles D., Coffeyville
Knapp, Dallas W., Coffeyville
Knapp, Robert G., Mission
Knittle, Ralph, Salina
Koehler, Jerome S., Kansas City
Koerner, Otto J., Wichita
Koopman, Milton A., Wichita
Kopke, Warren H., Great Bend
Kramer, A. E., Hugoton
Kreamer, Hugh H., Olathe
Krey, Fred, Stafford
Kuder, Hugh B., Jr., Kansas City, Mo.

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LaBunker, Reginald, Hays
Lackey, Eldon L., Kansas City
Lackie, Paul A., McPherson
Lafferty, Rex A., Fredonia
Laing, Verne M., Wichita
Lamb, A. R., Coffeyville
Lamb, E. E., Yates Center
Lampl, Henry, Wichita
Lancelot, John E., Wichita
Lang, D. B., Scott City
Lanning, Harry A., Seneca
Lardner, Rice, Olathe
Larson, B. G., Dodge City
Larson, Ralph L., Topeka
•Lauck, Robert G., Lawrence
Leasure, Fred J., El Dorado
Lee, Edwin A., Paola
Leech, William C., Oskaloosa
Lehman, John H., Abilene
Lehmberg, George R., McPherson
Leighnor, John Kenneth, Topeka
Leland, Cyrus, Olathe
Lemon, Robert S., Kansas City, Mo.
Leonard, Wilbur G., Topeka
Lester, James S., Oskaloosa
Lester, William E., Tulsa, Okla.
Letton, R. L., Pittsburg
Levand, Leonard A., Wichita
Levy, Joe L., Coffeyville
Lewis, Chester I., Jr., Wichita
Lewis, John Henry, Hoisington
Lewis, John W., Topeka
Lewis, Philip H., Topeka
Lewis, Robert J., Atwood
Liberman, Jake L., Caney
Liebert, Frank W., Coffeyville
Liebert, T. Richard, Coffeyville
Light, Auburn G., Liberal
Lillard, Tom, Jr., Salina
Lillard, T. M., Topeka
Lilleston, W. F., Wichita
Lind, Stanley L., Kansas City
Lindberg, Charles S., Wichita
Linder, Jesse I., Sharon Springs
Lindsay, Geo. S., Kansas City, Mo.
Linley, Chesterman C., Cimarron
Listrom, Myron L., Topeka
Litras, M. F., El Dorado
Little, Don, Kansas City
Littooy, Fred C., Hutchinson
Lobaugh, Farel R., Washington
Logan, Harry B., Topeka
Lomax, Robert S., Wichita
Loomis, Helen L., Topeka
Loomis, Lyle W., Winfield
Louderback, Glenn H., Fort Scott
Loughbom, Robert D., Kansas City
Loughridge, Wayne, Garnett
Lovett, Roger W., McPherson
Lowder, Chas. W., Kansas City
Lowe, Roy Goins, Olathe
Lowe, Roy S., Olathe
Lowe, Sam W. G., Colby
Lowry, Gordon K., Valley Falls
Lowry, J. W., Atchison
Luke, Robt. S., Burlington
Lundblade, Leon W., Topeka
Luther, Lester, Cimarron
Luthey, Graydon, Topeka
Lysaught, J. Donald, Kansas City
Lysaught, Thomas C., Kansas City
MacDonald, Archie T., McPherson
MacGregor, John W., Medicine Lodge
MacGregor, Riley W., Medicine Lodge
McAnany, Patrick B., Kansas City
McAnarney, Leonard W., Lyndon
McAtee, Chas. D., Mahaska
McBride, John, Wichita
McCall, John C., Chanute
†McCamish, W. H., Kansas City
McCarter, Charles C., Topeka
McCarthy, Jerry J., Topeka
McCarthy, J. Ruse, Wichita
McClellan, Howard B., Clayton, New Mexico
McClellan, O. D., Wichita
McCluggage, T. V., Wichita
McClure, Robert A., Topeka
McCombs, Harold W., Russell
McCombs, Ray D., Ness City
McCullough, John E., St. Louis, Mo.
McCurdy, John J., Lincoln
McDermott, Charles W., Denver
McDonald, Getto, Wichita
McElhenny, Dean, Topeka
McElhenny, William B., Topeka
McEnulty, Ronald R., Wichita
McGinnis, Allyn, El Dorado
McGinnis, Walter F., El Dorado
McGurnaghan, Margaret (Miss), Topeka
McHale, William H., Kansas City
McKay, J. B., El Dorado
McKay, J. B., Jr., El Dorado
McKenna, Martha (Miss), Kingman
McKinley, Ray R., Topeka
McLaughlin, Lewis L., Marysville
McMullen, Roy J., Great Bend
McNalley, L. A., Minneapolis
McNaughton, Malcolm, Leavenworth
McNeish, George T., Winfield
McQueary, Willis, Osawatomie
McSpadden, G. D., Winfield
McVey, Walter L., Jr., Independence
Maben, Norman G., Wichita
Madden, John, Wichita
Magaw, C. A., Topeka
Magaw, Donald J., Osborne
Mahin, Mason, Washington, D. C.
Malone, Ernest L., Topeka
Malone, Harold, Wichita
Mankin, Richard, Emporia
Mann, Fred A., Topeka
Marhofer, Basil C., Ness City
Marietta, Robert L., Salina
Markham, John B., Parsons
Marsh, Andrew A., Mission
Marshall, D. B., Jr., Lincoln
Marshall, Herbert, Topeka
Martin, Albert B., Topeka
Martin, Avis, Wichita
Martin, Donald E., Kansas City
Martin, F. O., Parsons

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Martin, Keith, Mission
Martin, Robert, Wichita
Martin, Rubert G., Lyons
Martin, Ward D., Topeka
Martindell, D. C., Hutchinson
Martindell, R. C., Hutchinson
Martz, Henry E., Wichita
Mason, R. O., Bartlesville, Okla.
Masoner, Karl W., Cottonwood Falls
Mathews, Marion P., Winfield
Mathews, W. R., Winfield
Matlack, Don, Topeka
Matuska, Morris, Pittsburg
Mauch, Hugo D., Topeka
Maxwell, Jack C., Lawrence
May, J. S., Atchison
Meador, Lee R., Wichita
Medill, Harold, Independence
Meek, Wm. P., Baxter Springs
Megaffin, John David, Pratt
Meigs, Eldon L., Pratt
Mellinger, Samuel, Emporia
Mellott, Arthur J., Kansas City
Melvin, George K., Lawrence
Menghini, Charles H., Pittsburg
Menzie, Joseph W., Manhattan
Merkel, Cecil E., Garfield
Mermis, Richard A., Hays
Merrick, Robert G., Wichita
*Metcalf, Capt. Edward A., Detroit 9, Mich.
Meyers, Allen, Topeka
Millard, A. Martin, Wichita
Miller, Alexander H., Salina
Miller, Carl William, Hutchinson
Miller, Harry, Jr., Kansas City
Miller, Harry E., Hiawatha
Miller, Hubert E., Wichita
†Miller, Karl, Topeka
Miller, Lloyd S., St. Louis, Mo.
Miller, Malcolm, Wichita
Miller, Marion C., Kansas City
Miller, R. E., Ellsworth
Miller, Robert H., Paola
Miller, Will J., Jr., Topeka
Millikin, William C., Salina
Mills, Evart, McPherson
Mills, Leo W., Yates Center
Mills, William M., Jr., Topeka
Millsap, O. Richard, Kansas City
*Milton, Dikran Christopher, Dodge City
Miner, Edgar M., Hays
Miner, George D., Ellsworth
Miner, Stanley C., Wichita
Mitchell, C. W., Cherryvale
Mitchell, Donald I., Wichita
Mitchell, Eugene E., Wichita
Mitchell, R. R., Dodge City
Mitchell, William L., Hutchinson
Mize, James P., Salina
Moen, Virgil R., Minneapolis
Moffat, A. L., Kinsley
Mohler, John, St. Louis, Mo.
Moon, J. Morris, Jr., Augusta
Moore, Clarence J., Horton
Moore, E. Louis, Wichita
Moore, Warner, Wichita
Moreau, F. J., Lawrence
Morgan, L. L., Hugoton
Morris, C. H., Wichita
Morris, Lester L., Wichita
Morse, John H., Mound City
Morse, Roger H., Marion
Morton, Robert R., Wichita
Moses, Edward R., Great Bend
Moses, K. V., Marysville
Moss, Joe W., Independence
Mowery, J. E., Dighton
Moxcey, Thomas O., Borger, Texas
Muir, W. G., Anthony
Mullendore, Noel, Howard
Mulliken, L. R., Columbus
Mullin, Ralph E., Kansas City, Mo.
Mullins, Richard F., Wichita
Munns, Lawrence, Topeka
Murray, Bill, Pratt
Murray, C. Edward, Wichita
Murray, John H., Leavenworth
Murrell, Turner, Topeka
Mustard, Thomas D., Wichita
Myers, C. Clyde, Kansas City
Myers, Dan H., Wakefield
Myers, Wade A., Topeka
Nash, James B., Wichita
Neale, Aubrey, Coffeyville
Nelson, C. Stanley, Salina
Nelson, Robert H., Wichita
Nelson, Roy V., Hiawatha
NeSmith, Robert L., Wichita
Neubauer, Rex A., Liberal
Neville, Keith B., Colorado Springs, Colo.
Nevins, Z. Arthur, Jr., Topeka
Newkirk, Donald R., Wichita
Newton, Bob H., Topeka
Nicholson, R. I., Paola
Nickell, Joe, Topeka
Nienberger, Charles G., Ellis
Noah, Don, Beloit
Noah, Ralph H., Beloit
Noe, Warden L., Holton
Nohe, Kenneth M., Wichita
Norburg, Norman, Topeka
Nordling, Bernard E., Hugoton
Nordling, Leland E., Johnson
Norton, Frank, Salina
Norwood, Wesley M., Lawrence
Noyes, Joseph K., Detroit 28, Mich.
Nugen, Lewis E., Wellington
Nuss, Melvin O., Great Bend
Nuss, Vernon, Great Bend
Nye, Arnold C., Newton
Nye, J. Sidney, Newton
Obee, Isabel (Miss), Great Bend
Oberg, Frank D., Clay Center
O'Brien, Frank, Fort Scott
O'Brien, John F., Independence
O'Brien, O. L., Independence
O'Connor, Earl E., Olathe
O'Donnell, John V., Ellsworth
O'Keefe, Maurice P., Atchison
Oman, Ralph W., Topeka
Opie, Glenn E., Great Bend
Ostrum, Dean G., St. Louis, Mo.
Ostrum, Oscar, Russell
Oswald, A. Lewis, Hutchinson

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Overton, D. William, Kansas City
Owens, Clark V., Wichita
Owsley, Perry, Pittsburg
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Page, Alfred B., Topeka
Page, Edmund L., Atchison
Page, Robert A., Wichita
Palmer, Randall D., Pittsburg
Parker, Jay S., Topeka
Parker, Wm. L., Jr., Pratt
Parks, Sherman A., Topeka
Parmiter, James E., Alma
Partridge, Robert N., Wichita
Patterson, Donald, Topeka
Patterson, J. B., Wichita
Patterson, Robert T., Columbus
Patterson, Walter B., Fort Scott
Paulsen, Clarence H., Concordia
Payne, Clark B., Richardson, Texas
Payne, Howard E., Olathe
Payne, Sam, Oklahoma City, Okla
Peabody, George E., Topeka
Pearson, James B., Olathe
Pedroja, Edward E., Eureka
Peel, Joe W., Topeka
Peery, Kenneth, Emporia
Pendleton, W. B., Lawrence
Pennington, L. Robert, Chanute
Perkins, A. A., Lawrence
Perkins, Elvin D., Emporia
Peterson, Bernard, Newton
Peterson, Roscoe E., Larned
Pflumm, A. J., Mission
Phalen, Wilbur W., Topeka
Phelps, Harry B., Jr., Ransom
Phillips, Loyd H., Great Bend
Phillips, Willard L., Kansas City
Pielsticker, William F., Wichita
Pierce, Walter Weston, Butler, Mo.
Pierson, John B., Ottawa
Pine, Robert A., Wichita
Piper, Robert L., Wichita
Pipkin, Leonard W., Jr., Topeka
Pirtle, Eugene L., Wichita
Platt, Charles I., Junction City
Platt, Raymond E., Hutchinson
Plested, Wm. G., Wichita
Plummer, John W., Newton
Poizner, Joseph J., Kansas City
Poland, Melvin C., Topeka
Pomeroy, Charles F., Topeka
Porter, James W., Topeka
Porter, William, Wichita
Postlethwaite, D. H., St. Francis
Postma, James L., Lawrence
Potter, Ethan, Leavenworth
Potucek, John, Wellington
Powers, George B., Wichita
Poznik, Albert, Neodesha
Prager, David, Topeka
Preble, Fred C., Hutchinson
Price, Donald F., Prairie Village
Price, Robert T., Topeka
Pringle, Bobby Lee, Topeka
Pringle, K. W., Jr., Wichita
Pringle, Tom, Arkansas City
Pringle, William B., Elmdale
Pugh, C. H., Wichita
Pugh, Richard M., Wamego
Purdy, Jean, Lawrence
Putnam, James W., Emporia
Putt, C. J., Topeka
Quinlan, John P., Seneca
Quinlan, L. E., Lyons
Quinlan, Melvin, Topeka
Quinn, James L., Topeka
Railsback, T. F., Kansas City
Raleigh, Clyde A., Hutchinson
Ramskill, George E., Burlingame
Ramskill, Veva Light, Burlingame
Rankin, Charles, Lawrence
*Ratner, Cliff W., Clovis, New Mexico
Ratner, Payne H., Wichita
Ratner, Payne H., Jr., Wichita
Ratzlaff, Ben D., Richfield
Rauh, Charles, Hutchinson
Raum, Thos. C., Wichita
Rausch, Fred W., Jr., Topeka
Raynolds, L. W., Emporia
Ready, Wendell, Wellington
Reeder, Robert A., Troy
*Reep, Richard L., Topeka
Rees, E. H., Emporia
Rees, William L., Topeka
Reeves, Jean B., Topeka
Render, Richard A., Wichita
Resler, L. M., Pittsburg
Rewerts, G. E., Leoti
Rexroad, James H., Hutchinson
Reynolds, H. Newlin, Hutchinson
Rhoades, J. R., McPherson
Rice, Carl V., Kansas City
Rice, Claude L., Kansas City
Rice, Ernest J., Topeka
Rice, Raymond F., Lawrence
Rich, Horace H., Coldwater
Richey, R. K., Hutchinson
Riegle, Roy W., Jr., Emporia
Riegle, Wilford, Emporia
Riggs, Harold R., Olathe
Riggs, Samuel H., Liberal
Rinehart, Oliver D., Paola
Robb, Clair E., Topeka
Robb, George A., Newton
Robbins, Harry E., Jr., Wichita
Robbins, R. O., Sedan
Roberts, Duane, Hutchinson
Roberts, H. S., Kansas City
Roberts, Lloyd S., Winfield
Roberts, Wm. L., Lawrence
†Robertson, Fred, Kansas City
Robertson, Jeff A., Topeka
Robinson, G. I., Ellinwood
Robinson, Jim, Kansas City
Robinson, John A., Omaha, Nebraska
*Robinson, Magnus E., Albuquerque, N. M.
Robinson, William I., Wichita
Rodkey, Clyde K., Manhattan
Rogers, F. M., Wellington
Rogers, Richard D., Manhattan
Rogers, Roy L., Wichita
Rolston, Joe, Jr., Oklahoma City, Okla.
*Rondelli, Charles J., Pittsburg
Rooney, Ed, Topeka

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Root, Karl W., Atchison
Ross, Albert M., Topeka
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Ross, Tweed, Beloit
Rossman, Richard G., Topeka
Rost, F. J., Topeka
Roth, Elmer W., Great Bend
Roth, Robert J., Topeka
Roth, Simon, Jr., Hays
Rothfelder, Ernest W., Highland
Roulier, Leon N., Colby
Rowell, Byron T., Valley Center
Royce, John Q., Salina
Royer, Paul H., Abilene
Rueb, Fred, St. Francis
Rupar, Leo M., Leavenworth
Ruppenthal, J. C., Russell
Ruppenthal, Lloyd H., McPherson
Russell, Edward F., Ulysses
Russell, Frank U., Hutchinson
Russell, H. A., Topeka
Russell, Marie, Topeka
Russell, Marion George, Kansas City
Russell, Robert E., Topeka
Ryan, Wayne W., Clay Center
Ryan, William B., Norton
Saffels, Dale, Garden City
Sage, Stephen S., Phillipsburg
Sands, Donald G., Holton
Sangster, Dick, Topeka
Sargent, J. Wirth, Wichita
Sargent, James W., Jr., Wichita
Sayers, W. L., Hill City
*Schauf, Donald N., Arlington, Va.
Schell, Wm. F., Wichita
Schermerhorn, Robert A., Junction City
Schmidt, Paul W., Wichita
Schnider, Charles S., Kansas City
Schoeppel, Andrew, Wichita
Schroeder, Alfred G., Newton
Schroeder, Harold R., Topeka
Schroeder, J. E., Kansas City
Schulteis, Henry, Jr., Topeka
Schulz, Ray S., Great Bend
Schwartzkopf, E. A., Lacrosse
Schweiter, Ted, Wichita
Schwinn, Tom L., Wellington
Schwinn, W. H., Wellington
Scofield, Thomas M., Kansas City, Mo.
Scott, David H., Independence
Scovel, Jay W., Independence
*Scovel, Lt. Thomas R., Independence
Sebelius, Keith G., Norton
Seed, Thomas F., Wichita
Sentney, Kenneth E., Hutchinson
Setter, H. Jay, Wichita
Sewell, Thomas R., Topeka
Shaffer, John H., Hutchinson
Shaffer, William M., Frankfort
Shamberg, John E., Kansas City
Shanahan, Glenn J., Wichita
Shankel, Buford L., Fort Scott
Sharp, Donald, St. Louis
Shattuck, Willis A., Ashland
Shaw, Jim, Galena
Shaw, Warren W., Topeka
Shawver, Karl V., Jr., Paola
Shay, Douglas E., Wichita
Shearer, Alan Kent, Russell
Shearer, M. P., Wichita
Sheffer, Orville A., Wichita
Shell, Gwinn G., Garnett
Sheppeard, H. L., Clay Center
Shields, Eugene T., Dighton
Shiney, Richard D., Topeka
Shriver, Garner E., Wichita
Shuart, John W., Topeka
*Shuman, Harold, Topeka
Shurtz, Earl B., Emporia
Shuss, J. Logan, Parsons
Sias, Richard L., Oklahoma City, Okla.
Sickler, Royce D., Topeka
Siefkin, Robert M., Wichita
Silks, Louis A., Merriam
Silvers, Clem H., El Dorado
Simons, Gordon D., Kansas City
Sinning, Harold, Holton
Six, Fred, Lawrence
Sizemore, Herbert H., Newton
†Skinner, W. K., Stockton
Slaughter, H. M., Oklahoma City, Okla.
Slechta, Don B., Topeka
Sloan, Eldon, Topeka
Sloan, E. R., Topeka
Sloan, F. A., Topeka
Sloan, James W., Topeka
Sloan, Ray C., Hoxie
Slough, M. C., Lawrence
Smith, Carl T., Wichita
Smith, Donald C., Pittsburg
Smith, Eric, Russell
Smith, Francis L., Misson
Smith, Glee S., Jr., Larned
Smith, Hall, Topeka
Smith, Harrison, Garden City
Smith, Herman W., Jr., Parsons
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Smith, Paul V., Wichita
Smith, Robt. Moore, Jr., Wichita
Snattinger, Irwin, Topeka
Snyder, Arthur H., Hutchinson
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Snyder, James N., Leavenworth
Snyder, Nona E., Kansas City
Somers, J. G., Newton
Sondker, Ed H., Topeka
Sorrick, Floyd D., Washington
Sorrick, Jerry M., Topeka
Souders, Otto R., Wichita
Southern, Robert E., Ellinwood
Sowers, Clarence, Wichita
Sowers, Claude, Wichita
Sowers, John, Wichita
Sparks, D. M., St. Marys
*Speer, Wilson E., La Grange, Illinois
Speir, Kenneth G., Newton
†Spencer, C. A., Oakley
Spencer, Corwin C., Oakley
Spiegel, Dale A., Emporia

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Stanford, Lee R., Concordia
*Stang, Roland B., Enid, Okla.
Stanley, A. J., Sr., Kansas City
Stanley, Arthur J., Jr., Kansas City
Stanley, Geo. W., Arkansas City
Stanosheck, Thomas H., Hanover
Stansbury, Olin, Jr., Kingman
Staplin, George W., Wichita
Stavely, A. K., Lyndon
Stavely, Richard W., Wichita
Stearns, I. H., Wichita
Steere, Myron, Ottawa
Steerman, Everett E., Emporia
Steinrauf, Harold L., Topeka
Stephens, P. W., Neodesha
†Stevens, Chester, Independence
Stevens, J. Clair, Hutchinson
Stevens, Richard B., Lawrence
Stevenson, J. Paul, Sterling
Stevenson, William L., Hiawatha
Stewart, C. C., Lawrence
Stewart, Charles, Grainfield
Stewart, Charles H., Kingman
Stewart, Donald W., Independence
Stewart, Jack C., Hutchinson
Stewart, Jack N., Salina
Stewart, Kenneth P., Wichita
*Stewart, Robert E., Baltimore, Md.
Stice, John N., Wichita
Stiles, Dewitt M., Topeka
Stillings, Wm. E., Atchison
Stinson, Dale B., Jr., Wichita
Stites, O. R., Oklahoma City, Okla.
Stockwell, George L., Wichita
Stokes, Wm. B., Topeka
†Stone, Robert, Topeka
Stough, Chas. D., Lawrence
Stover, Gerald C., Colby
Stowell, William, Phillipsburg
Stratton, Thomas A., Kansas City
Strayer, Bernard B., Kansas City
Strobel, Russell L., Larned
Stroberg, Vernon A., Newton
Strong, Floyd D., Topeka
Stryker, Joseph M., Bartlesville, Okla.
Stubbs, H. W., Ulysses
Stucky, Dale, Wichita
Studley, Don, Lawrence
Stueckemann, Walter F., Jetmore
Stumbo, Walter G., Topeka
Sturm, Sam H., Newton
Sullivan, James E., Wamego
Sullivan, Jay H., Emporia
Sullivan, W. C., Phillipsburg
Sullivant, Milton, Kansas City
Summers, Jack, Topeka
Sybrant, George E., Arkansas City
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Teeple, George, Mankato
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Templar, Ted, Arkansas City
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Terrill, James S., Syracuse
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Thiele, Walter G., Topeka
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Thomas, Anthony S., Jr., Kansas City
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Thompson, Frank H., Kansas City
Thompson, Marvin E., Russell
Thompson, R. H., Gove
Thompson, William P., Wichita
Thompson, W. K., Topeka
Thorne, Ralph, Hutchinson
Tice, W. N., Beloit
Timmerman, Lewin E., Wichita
Timmerman, Wm. P., Wichita
Tincher, J. N., Jr., Hutchinson
Tinder, Ray H., Wichita
Tinker, William, Wichita
Toland, Stanley E., Iola
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Tompkins, Harry M., Council Grove
Tongier, Glenn L., Coffeyville
Tontz, Daniel D., Wichita
Townsend, John Willaim, Topeka
Travis, Kenneth D., Olathe
Traylor, Scott, Springfield, Mo.
Treadway, W. E., Topeka
Trego, Robert. E., Shawnee
Trued, Martin F., Tribune
Turkington, Robt. S., McCune
Turner, Arthur N., Newton
Turner, Lee, Great Bend
Turney, Robert R., Topeka
Tyner, Dorothy D. (Miss), Seward, Alaska
Unruh, Milo M., Wichita
Upp, Robt. E., Hutchinson
Urban, W. W., Lincoln
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Vance, Bert J., Garden City
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Van Doren, Max, Lawrence
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Van Slyck, Willard N., Jr., Topeka
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Veale, Tinkham, Topeka
Veeder, Kirke C., Independence
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Vieux, Fred R., Augusta
Villepigue, E. P., Wichita

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•Walker, Robert E. Lee, Dodge City
Wall, John M., Sedan
Wallace, Clark A., Kingman
Wallace, Dwight S., Wichita
Wallace, James W., Scott City
Walmer, Robert G., Wichita
Walsh, Charles A., Concordia
Ward, Jerry, Great Bend
Ward, Paul, Hays
Wark, George H., Caney
Warner, Leroy, Wichita
Warnick, P. J., Wichita
Warren, Jessie Nye, Newton
Washington, Herschel L., Leoti
Wasson, Roy H., Wichita
Watson, Bill D., Turon
Watson, D. E., Salina
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Waugh, William K., Jr., Eskridge
Weary, Robert K., Junction City
Weary, U. S., Junction City
Webb, Robert L., Topeka
Webb, Simeon, Pittsburg
Webber, Edw. G., Topeka
Webber, Robt. R., Topeka
Weber, John J., Hutchinson
Weber, Vernon W., LaCrosse
Weckel, John, Salina
†Wedell, Hugo T., Wichita
Weeks, John, Topeka
Weeks, Lee E., Kansas City
Weigand, Lawrence, Wichita
Weil, Edward, Wichita
Weinlood, Abraham, Hutchinson
Weir, B. W., Pittsburg
Weiskirch, Armin, Wichita
Wells, Georgia E. (Miss), Lyons
Wells, H. Kip, Topeka
Welsh, Frank, Jr., Wichita
Weltmer, L. E., Mankato
Weltmer, L. M., Mankato
Weltmer, Roderick E., Mankato
Welty, Dan M., Topeka
Wenzel, John H., Wichita
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Wetmore, Waldo B., Wichita
Wetta, Leo R., Wichita
Wetzel, Eugene G., Prairie Village
Wetzel, Lawrence J., Wichita
Whealen, John T., Kansas City, Mo.
Wheat, O. M., Medicine Lodge
Wheeler, David W., Marion
Wheeler, Edwin M., Topeka
Wheeler, James A., Jr., Olathe
Wheeler, John E., Marion
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White, Doyle E., Arkansas City
White, Edgar W., Elkhart
White, Eugene A., Hutchinson
White, Jess R., Mankato
White, Paul H., Wichita
White, Robert L., Salina
Widder, Willard Graves, Kansas City
Wiegers, Edward F., Topeka
Wilbert, Paul L., Pittsburg
Wildgen, Maurice A., Larned
Wiles, A. J., Hays
Wilke, W. Kenneth, Topeka
Willems, P. H., McPherson
Williams, Al F., Topeka
Williams, James A., Dodge City
Williams, Roy E., Kingman
Williams, Vernon L., Wichita
Williamson, Blake A., Kansas City
Willoughby, Keith R., Colby
Wilson, David J., Meade
Wilson, E. Victor, Hutchinson
Wilson, Forrest A., Newton
Wilson, Henry P. J., Hutchinson
Wilson, J. Herb, Salina
Wilson, Jerome K., Kinsley
Wilson, J. Robert, Manhattan
Wilson, J. Robert, Meade
Wilson, Paul E., Topeka
Winbigler, W. E., Mission
Windscheffel, Arno, Smith Center
Winkler, Wendell, Paola
Winn, James G., Topeka
Wisdom, Stanley E., Wichita
Witterman, Oliver A., Wichita
Woleslagel, Frederick, Lyons
Wolf, Paul A., Hugoton
Wolfe, Wallace T., Oberlin
Wood, Bill, Liberal
Wood, Maxine Walker, Liberal
Wood, Thomas A., Wichita
Woods, Bert L., Garnett
Woods, Thomas E., Wichita
Woodson, Bryan, Hutchinson
Woodward, Pauline (Mrs.), El Dorado
Woodward, R. C., El Dorado
Wormhoudt, Gerrit, Wichita
Wright, Earle N., Arkansas City
Wright, Morgan, Larned
Wunsch, Paul R., Kingman
Wyman, Don, Hutchinson
Wyman, Max, Hutchinson
Yarnevich, Ernest, Kansas City
Yohe, D. Spencer, Mission
Yount, Oscar M., Galena
Yoxall, James R., Liberal
Zacharias, Milton, Wichita
Ziegler, Carl E., Coffeyville
Zeigler, Wayne, Lawrence
Zimmer, Harold, Lakewood, Colo.
Zimmerman, C., Wichita
Zimmerman, Julian H., Wichita
Zuspann, Eugene P., Goodland

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Everett L. Baker	300 W. Ave. S., Lyons, Kansas
Robert M. Baker	Courthouse, Ashland, Kansas
Melvin DeWayne Benitz	1210 Byron, Topeka, Kansas
David E. Bourassa	1725 Oakley, Topeka, Kansas
Richard C. Byrd	Ottawa, Kansas
Lt. John A. Carlson	3902nd Support Sqdn., Office A.F.B., Omaha, Nebr.
2d Lt. Charles J. Carroll	Box 259, Hill Air Force Base, Utah
Richard B. Collins	612 E. 4th St., Wellington, Kansas
Jack E. Dalton	Jetmore, Kansas
Donald L. Deam	2009 Lincoln, Topeka, Kansas
John Dekker	715 Brown Bldg., Wichita, Kansas
Harry L. Depew	Box 265, 806 Osage, Neodesha, Kansas
Aubrey V. Earhart	Central State Bank Bldg., Hutchinson, Kansas
Robert L. Earnest	949 E. 4th St., Russell, Kansas
Robert F. Ellsworth	Lawrence Natl. Bank Bldg., Lawrence, Kansas
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Norman E. Fuller	Fourth National Bank Bldg., Wichita, Kansas
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W. R. Hainline	Medical Center, WaKeeney, Kansas
Murray F. Hardesty	637 New England Bldg., Topeka, Kansas
Frank S. Hodge	Box 432, Hutchinson, Kansas
M. E. Jarvis	First National Bank, Winfield, Kansas
Albert L. Kamas	610 Schweiter Building, Wichita, Kansas
Hugh H. Kreamer	532 W. Elm, Olathe, Kansas
Edwin A. Lee	Paola, Kansas
George S. Lindsay	P. O. Box 1099, Kansas City, Missouri
George T. McNeish	State Bank Bldg., Winfield, Kansas
Norman G. Maben	802 Schweiter Bldg., Wichita, Kansas
Don Matlack	Apt. 73, Washburn U., Topeka, Kansas
Wm. P. Meek	603 E. 13th, Baxter Springs, Kansas
A. L. Moffat	Kinsley, Kansas
E. Louis Moore	638 N. Water, Wichita, Kansas
Wade A. Myers	860 W. 37th, Topeka, Kansas

Name	*Address*
Sherman A. Parks	320 Taylor, Topeka, Kansas
Joe W. Peel	2108 Potomac Dr., Topeka, Kansas
Harry B. Phelps, Jr.	Ransom, Kansas
Wm. G. Plested, Jr.	145 South Battin, Wichita, Kansas
Bobby Lee Pringle	1307½ Mulvane, Topeka, Kansas
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E. A. Schwartzkopf	LaCrosse, Kansas
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Gordon D. Simons	204 Bennett Bldg., Kansas City, Kansas
Fred Six	1732 Mississippi St., Lawrence, Kansas
H. M. Slaughter	2608 N.W. 29th, Oklahoma City, Oklahoma
Robert Moore Smith, Jr.	1 Hillcrest Ave., Wichita, Kansas
William B. Stokes	505 Pine Crest, Topeka, Kansas
George T. Van Bebber	Troy, Kansas
Bill D. Watson	Turon, Kansas
Robert K. Weary	Central National Bank Bldg., Junction City, Kansas
John J. Weber	107 West 20th, Hutchinson, Kansas
Duane E. West	1301 New York Ave., Garden City, Kansas
Edwin M. Wheeler	2110 Moundview, Topeka, Kansas
Harry P. J. Wilson	Box 1229, Hutchinson, Kansas
W. E. Winbigler	6218 Walmer, Mission, Kansas
Maxine Walker Wood	Courthouse, Liberal, Kansas